

NO
SACRILEGE
NOR
SINN E

To Aliene or Purchase the
Lands of Bishops,
Or Others,
VVhose OFFICES are abolished,

The Second Edition, Revised and Inlarged.

Cornelius Burgett
By C. B. D. D.

ROM. 14. 4.

Who art thou that judgest another mans servant ?

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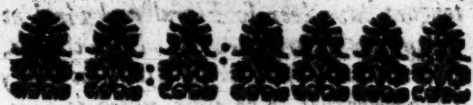
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By C. R. D. D.



TO THE
READERS.



was of late enforced hastily to present to the last Parliament a Case, concerning the lawfulnessse of buying Bishops Lands; and, some Differences about a Purchase (not of the Lands, but) of some (other) possessions of the late Bishop of B. and Wells, first, by fraud obtained; and afterwards, contrary to all Equity, Conscience, and Orders made upon full Hearing, still continued. That Case (not exposed to publick sale) fell into the hands of some, who holding such purchases to be Sacrilegious, gave out, that they would answer it. This put me upon the reviewing, enlarging, and transforming that first Part, into a Treatise; wherein I have cast some pieces of that Case, into another Order.

Many high-swalling words have been breathed out against that Case. And some

To the Readers.

2 Pet. 2.
10. 11.

tongues have been so liberal and virulent against both Parliament, and Purchasers, (especially against my despised self) as if they (who make that to be a sin, which is none, held it to be no sin, to arraign Ordinances, and Acts of Parliament, and all that act by them, at their pleasure; being (a) not afraid to speak evil of Dignities; whereas Angels, which are greater in power and might, bring not railing accusation against them before the Lord. Such I shall onely pitie, and pray for; but not answer according to their folly.

5 Jude 9.

Nor is it unusual with such as undertake to oppose anything written in defence of those truths, which they hate, to make the greatest noise upon a wrong sent; and, by personal Reflections, or by Confutations of some occasional passages of History, Chronology, Philologie, &c. (wherein there may be some mistakes by following other Authors, than those Confuters did) upon which the main streffe of the Cause was never laid, to eeke out what they want in solid Answers to the main Positions they undertake to Refute. Of this, I have already some experience. But, I hereby declare, that such must expect no other Reply from me, than that of Christ, to the——
The Lord rebuke them (b). Nevertheless, if ought shall be urged, in a sober, solid manner,

To the Readers.

ner, against the main things here asserted; or, if it appear, that I have falsified, or wrested any Scriptures, or other Authors; I hereby ingage, ingenuously to confesse mine error; or, civilly to Reply, where I finde my Antagonists mistaken.

I have not yet seen any Answer to any material point of my printed Case, of which, some few passages are here left out, because not being of the essence of the chief Assertion, and finding Authors to differ about them, I will not imbroyl in a contest, for, or against them. It is indeed reported, that something is shortly to be published against it: But, seeing I cannot obtain a view thereof before this be printed off, I desire to be excused for not Replying, untill this (being a more full explanation, and confirmation of the principal matter therein contained) be answered also.

If any storm light upon me, by Troops of Fathers, Canonists, School-men, or Eminent Protestants (such as Calvin, Ursine, Zanchius, Perkins, &c. whom (I greatly honour,) urged against this Treatise, I shall so far strike sail, as they make good out of Scripture what they say contrary to my Assertions: Without this, I must crave leave in a businesse of so high a charge with so great a sin as Sacrilege, to persevere in that Truth, which, I verily believe, depends on a more Divine

To the Readers.

1 King.
22. 17.

d Eccl Hist.
l. i. c. 22.

1 Act. 28.
22.

 foundation; although thousands of humane authorities should be produced against it. Herein I must be content to adventure, as Michaiah did(c) when forced to differ from 400 Prophets at once: as Athanasius, when the whole world seemed to be turned Arrian: and, as Paphnutius; who, when the generality of the Fathers in the first Nicene Council, inclined to a Decree against the Cohabitation of Bishops, and other Ministers, with their wives, he alone (although unmarried) withstood it, and by clear testimonie of Scripture so prevailed, that, as Soso-
 men (d), reports it, *ἐν τῇ συνόδῳ τῆς Νικαίας*, the Synode approved his Counsel, and forbore that Decree. Such honourable Presidents, I shall not fear to follow, in defence of this truth, which, no lesse than that Sect (e) (as the Jews called the Christian Faith) maintained by Paul, is every where spoken against.

I know nothing more common with Episcopal Advocates, than to thunder out vol-lies of Eminent Protestant Authors against the alienating of Cathedral Lands. But it is to me a wonder, how those Declaimers against such alienations, can with any forehead, produce those Writers as bearing witness for them, against this practise, after the Offices be all at an end; while yet they reject
with

To the Readers.

with scorn the judgement of the same Witnesses, in the point of Episcopacy and Episcopal Government now abolished. If therefore I be no more deterred with such allegations against the purchasing of such Lands, than they who urge them are moved at the Testimonies of the same men, against the power of sole Ordination and sole Jurisdiction in Bishops, and the Abolition of such Episcopal Government; I hope no sober man will condemn me for it. If others do otherwise, I shall (without fault, I hope) passe it by with neglect.

If any purchasers who read this Book (wherein I have done my best to serve them) or others, have better Arguments to make out what is here undertaken, I desire them to impart the same, for the further defence of this common Cause, which I fully believe to be just and good. Mean while, I must intreat the Readers, before they enter upon the reading hereof, to correct these escapes of the Presse, not onely in the body of the Book, but in the Margents, and in the numbering of all the sixteen pages of the seventh sheet, beginning with H. as here it followeth.

Errors to be thus Corrected.

PAg. 75. lin. 7. r. *Jubilee*, in Marg. **□ 77.** p. 91. l. 30.
r. *who*, after page 96. correct the numb. of pages in
Marg. of the 7th sheet, thus, for 77. r. 97. &c. then,
p. 97. l. 31. r. *and his*, p. 108. r. *insipientes*, p. 113. l. 33. r. *un-*
derfull, p. 116. l. 15. r. *not*, p. 121. l. 33. r. *at*, p. 123. marg.
r. *Barnab*, p. 130. l. 3. r. 1554. p. 131. l. 12. r. *etiamnum*, l. 24.
r. *ille*, ibi. *equum*, p. 133. l. 14. r. *a sudden*, p. 134. Marg.
r. *Minut*, p. 139. l. 9. r. *Sanedrim*, p. 143. marg. r. *Re Rust*, p.
145. l. 7. r. *not*, p. 149. l. 34. r. *Three*, p. 152. l. 9. r. *is Crete*,
l. 21. r. *would as*, p. 154. l. 8. r. *Iniquity*, p. 155. l. 24. r. *de-*
clarat.

No Sacrilege nor Sin,

To

Purchase Church-Lands of Bishops, or other
Cathedral men, whose Employments,
and Offices are taken away by

PARLIAMENT.

CHAP. I.

The Introduction.



Tis a sad Providence on the Ca-
thedral Prelacy of England and
Wales, who pretended to be the
Salt of the Earth, so to lose their
savour, as to be cast out, and tro-
den under foot of men (a). Had ^{a Math. 13.}

they been so humble as they ought, when
most exalted (b); so carefull as God required, ^{b Pro. 29.}
to feed the Church of God, over which they ^{23.}
pretended to be Overseers, when highest fed
themselves; and not so much intangled with
State-affairs, but laboured more to please him,
who (by their own telling) had chosen them to
be his Souldiers (c); they might have en- ^{c 2 Tim. 2.}
joyed both their Offices, and Revenues, with-
out

B

Chap. 1. out diminution, till time shall be no more. But,
 d Pro. 16. Pride ever ends in a fall (d); neglect of
 18. God, in contempt, both of God and men
 e 1 Sam. 2. (e); and Usurpation in Extirpation (f): so al-
 30. so doth unfruitfulness of *branches*, even of
 f Marth. Gods own planting (g).

13.
 g Joh. 15.
 6.

b Num. 16.
 15.7.
 Ordin. of
 Octob. 9.
 1646.

This is too conspicuous in our late *Bishops*,
 and other *Cathedral* men; some of which, who
took too much upon them, have ruined all the
 rest. For, that God who would not suffer
 this, even in the *sons of Levi* (h); put it into
 the hearts of the late long Parliament, by an
Ordinance of both Houses, dated Octob. 9. 1646.
 (after the King had deserted his Parliament,
 raised his *Standard* against them, whereby he
 put both them, and the whole Kingdom out of
 his Protection, and none but those Two Hou-
 ses of Parliament, remained to take care of the
 publike Interest, in a Legal way) wholly to
 Abolish the Name, Title, Stile, Dignity and
 Offices of all Archbishops and Bishops, with-
 in the Kingdom of *England*, and Dominion of
Wales: and, to vest and settle their *Lands* and
possessions in *Trustees*, to the use of the *Common-*
wealth, for payment of the just and necessary
debts of the Kingdom, into which the same had
 been drawn by a War, mainly promoted by, and
 in favour of the said Archbishops and Bishops,
 and other their *Adherents*, and *Dependents*,
 who made it their main business (when they
 did preach, or otherwise act as *Governors* of
 the Church) to cry up dull Formalities and
 Ceremonies as the onely Devotion; and the
 Kings Prerogative and Will as the onely Law,
 and,

and, on the other side, to decry and persecute the power of godlinesse, and all that stood for the Laws of the Land. Therefore the Parliament having upon these and other weighty grounds, utterly disabled all, and every person and persons, from, and after the fifth day of September 1646. to hold the place, function, or stile of Archbishop, or Bishop of any Church, Sea, or Diocese, then, or thereafter to be established, or erected, within the Kingdom of England, Dominion of Wales, or Town of Berwick; or, to use or put in ure any Archiepiscopal, or Episcopal Jurisdiction or Authority: Afterwards, on the 16th. of Novemb. 1646. by another Ordinance of both Houses, Ordained the said lands and possessions of the said then abolished Archbishops and Bishops, by them held in right of their said Archbishopricks and Bishopricks, to be sold, for raising the summe of 200000 l. for the present service of the State, not onely deserted, but professedly impugned by the Supreme Governour thereof, in an open War.

Ordinance
of Nov. 16.
1646.

After this; to wit, on the 30th. of April 1649. The Commons of England (being then the onely Persons remaining) in Parliament Assembled, having seriously weighed the necessity of raising a present supply of monies, for the present safety of this Commonwealth, and finding that their other securities were not satisfactory to Lenders, nor sufficient to raise so considerable a summe as would be necessary for the said service, were necessitated to sell the Lands of Deans and Chapters, (sundry of which had been Arch-

Act for abolishing
Deans and
Chapt.
April 30.
1649.

Chap. I. Incendiaries under the Bishops, to kindle the flames between the King and Parliament) for paying the publike debts, and for the raising of 300000*l.* for the present supply of the pressing necessities of this Commonwealth, Did Enact, Ordain, and Declare, that from, and after the 29th of March 1649: the Name, Title, Dignity, Function, and Office of Dean, Subdean, Dean and Chapter, Arch-Deacon, Prior, Chancellor, Chanter, Sub-Chanter, Treasurer, Sub-Treasurer, Succenter, Sacrist, Prebend, Canon, Canon-Resident, or Non-Resident, Petty-Canon, Vicar-Choral, Choristers, Old Vicars and New; and other Titles and Offices, of, or belonging to any Cathedral, or Collegiate Church, or Chappel in England and Wales, Town of Berwick upon Tweed, and Isles of Guernsey and Jersey, should be, and by the Authority aforesaid were wholly abolished and taken away: and all and every person and persons were, from the said 29th of March, disabled to use, or hold the place, Function, Office, Title, or stile of Dean, Sub-Dean, Dean and Chapter, Arch-Deacon, Prior, Chancellor, Chanter, Sub-Chanter, Treasurer, Sub-Treasurer, Succenter, Sacrist, Prebend, Canon, Canon-Resident, or Non-Resident, Petty-Canon, Vicar-Choral, Chorister, Old Vicar or New, in England or Wales, Town of Barwick on Tweed, Isles of Guernsey or Jersey; Or, to use, put in ure, or exercise any power, Authority, Jurisdiction, or imployment, by force or colour of any Letters Patents from the Crown, made or to be made; or, by reason of any such Name, Title, Dignity, Office,

Office, or Function, or by any other Authority whatsoever, in England, Wales, Town of Berwick on Tweed, Isles of Guernsey and Jersey: any Law, Statute, Usage or Custome to the contrary notwithstanding. All which being thus abolished, their Lands, Possessions, and Revenues also, held in right of their several and respective forementioned Offices, Dignities and Titles, were thereupon vested and settled in certain Trustees to the use of the Commonwealth: and afterwards by the same Authority, aliened and sold to private persons, their Heirs, and Assigns for ever.

In perusal of which Ordinances, and Act of Parliament, we are to take notice, 1. That no Lands, Possessions, or Revenues held by Archbishops, Bishops, Deans, Deans and Chapters, or other the Persons before mentioned (whose Offices as Cathedral men are abolished) not held in right of their Cathedral or Collegiate Capacities, Offices, and Dignities, are by those Ordinances or Act taken from them, or so much as questioned. 2. That, If any of them were deprived of, or sequestred from any other Lands, Goods, Benefices with cure or without, which they held as Proprietors of Lands, or Goods, as Subjects; or as Ministers and Incumbents of Parochial Churches, by Presentation, Collation, Donation, or Commenda, they were so deprived or sequestred, meerly upon the account of Malignancy, Delinquency or Scandal, making them obnoxious and liable to Sequestration by vertue of other Orders, Ordinances, or

Chap. 1. *Acts* of Parliament, and not of those before mentioned.

This premised, the Reader is to be Advertised of two things more, in this present Discourse: 1. That neither the *Glebes* nor *Tishes* of any their *Appropriations*, or other *Benefices with Cure*, whether appendent to their Cathedral Dignities and places, or not, shall come within the present point of the lawfulness of the sale of their Lands and Revenues held in right of their said Episcopal, or other Cathedral Offices and places. 2. Much lesse is it here intended to averre, hint, or plead for the lawfulness of alienating, or selling of *Glebes* of Parochial Churches, where able and faithfull Ministers are, or ought to be settled as Incumbents, to feed the flock of God, which is among them, and to take the oversight of them (i); which *Glebes* cannot be taken from them, by any humane Authority, without bordering (at least) upon *Sacrilege*.

i 1 Pet. 5.
2.

The main
subject of
this Trea-
tise.

So then, the businesse here undertaken, is plainly, and onely this: That it is neither *Sacrilege*, nor otherwise sinful, to Purchase Church-Lands of Archbishops, Bishops or other Cathedral men, formerly held in right of their Cathedral Dignities, Offices, and Places; their said Functions and Employments being first totally abrogated and taken away by Parliament.

In the prosecution of which Assertion, or Subject, five things are principally intended, viz.

" 1. To lay open the mistakes about the nature of Sacrilege; and, to show what it truly, and properly is, according to the sense of Scripture.

" 2. To demonstrate that there is, or may be Sacrilege committed now under the Gospel; and wherein it lieth.

" 3. To discover that the Lands of Bishops, and other Cathedral men, as such, were never warrantably given to God, nor owned or accepted by him as holy to the Lord, nor ever were either his or theirs, by Divine Right.

" 4. To inferre from the whole, That therefore it is no Sacrilege nor other Sin, for any private man, to buy or purchase those Lands to the use of himself, his Heirs, and Assigns for ever, after Bishops and Cathedral men and their Officers, as such, are wholly taken away.

" 5. To subjoyn Answers to all material Objections, not obviated, or interlaced occasionally in handling the former particulars.

CHAP. II.

Of the mistakes, in, and about the Nature of Sacrilege: and what it truly, and properly is, according to the sense of Scripture.

SOME deny that there is, or can be any such Sins as Sacrilege, under the Gospel; being confident that nothing is now due to Gospel-

Chap. 2. Ministers, but by humane Laws, Prescription, or Custom. But this, being (as shall after appear) a palpable error, deserves to be exploded with contempt, rather than seriously confuted. Others, in another extreme, stretch *Sacrilege* so far, as to involve every man in that sin, that deviates from their constitutions; or any way offendeth about persons, places, or things consecrated by men, and by them called *Holy*, although never made such by Gods Ordination.

Thus the Rómane Emperors declare the violation of their *Imperial Laws* to be *Sacrilege*; and fasten that Crime on all that wilfully neglect, or knowingly break them (*k*). Now albeit this be not admitted as a truth; yet, their *Power* of making Laws, and giving sanction to them, being *from God* (*l*), they had more colour for such stigmatizing the breach of their constitutions, than He, who cannot justly pretend to any such Commission. I mean, the Pope, who delivereth for *Doctrines* of God, his own Commandments, making them binding Laws even to the consciences of men, in this very particular. Hence, most of the commonly received opinions and assertions touching *Sacrilege* have taken rise; and he is accounted a man of no reading, or learning, that shall dare to contradict, or confute them.

The *Canon-Law* and *Canonists* extend it to the taking away, wasting, invading, or purloining of any thing consecrated or given by men unto God, whether it be man, beast, field, or ought else once consecrated by man; which

† L. un. c.
de Crim.
Sacril. l. 6.
de Appel.
C. Theodos.
l Rom. 13.
1.

which consecration (in their account) makes it Chap. 2. to be *Sanctum Sanctorum Domino*, as the Holy of Holies to the Lord (m); Whether there be, or be not any Word, or Warrant from God or the Magistrate for such Dedications; of which Law, it is not lawfull for any man to be ignorant.

m Decreti. pars 2. caus. 12. q. 2. c. 3. Nulli liceat ignorare.

Upon this sandy foundation, the *Schoolmen*, *Summists*, and *Casuits*, erect their Definitions and Discourses of *Sacrilege*: and (according to the interest of their several parties) they draw all their lines: making the *Canon Law* their *Circle*; and the profit and advancement of the Pope, holy Church, their *Center*.

He that, in his time, was the greatest *Gambler* of the *Civil* and *Canon Law* (n), hath succinctly extracted the *Quintessence* of most of those Writers, who make three sorts or kinds of things to be *Sacred* or *Holy*; against each of which *Sacrilege* may be committed: sacred *Persons*, sacred *Places* and sacred *Things*; which last is subdivided into four species or sorts: holy *Sacraments*, holy *Vessels*, holy *Ornaments*, and holy *Goods*, for maintenance of all the former persons, places, and things.

n Mart. ab Aspilq. Dr. Navarr. to 1. Tract. de Reddit. Eccles. pag. 264. monit. 18.

Thus, *Aquinas* (o), *Alexander of Hales* (p), *Hostiensis* (q), *Linwood* (r), *Bonaventure* (s), *Azorius* (t), and sundry others, do all deliver themselves in the main, (although with some differences in some particulars) and all, or most out of the *Canon Law*

o 2. q. 99. p Part. 2. q. 168. q Lib. 5. c. de Crim. Sacril. li. 1. de Offic. 1 Archipresb. c. Ignor. Sacerd. verb. Sacril. f To 6. Centiloq. Sect. 30. t Moral. 1. 9. c. 29.

Chap. 2. or *Civil*; alledging few Scriptures, but what they finde quoted in the *Canon Law*. Out of all which together, it will appear that any violation by irreverence done to *Sacred Persons*, is generally held by them to be the greatest *Sacrilege*; whether it be striking, defiling by fornication, or otherwise slighting, or abusing of their Priests, Nuns, or other Votaries, or Church-Officers; the casting off of holy Orders, the recalling of any vows whatsoever.

In the next place, the profanation, or irreverence done to *holy Places*, whether Churches, Chappels, or Churchyards, by committing fornication, or adultery in them, by stealing ought out of them, although the things so stolen be not consecrated, or holy, but onely common; the carnal knowledge that a man and his wife may have of each other in any of those places; the taking thence of any Malefactors, that have fled thither for sanctuary; unlesse in some very few cases, and with consent of the Priest, or Ordinary; the Negotiating of any Civil affairs in them; buying, selling, acting of enterludes, and other common exercises (such as, Logical, or Philosophy Disputations, &c.) the bringing of a mans goods, and eating and drinking there, unlesse in case of invasion, or sudden fires; the alienating, or applying of them to Common, Civil, or private uses, upon any reason whatsoever; Yea, although they be no longer used for Divine Worship, but wholly deserted, ruined, and no more repaired,

From

From persons and places, they proceed to Chap. 2.
Things, among which, the *Sacrament* of the
Lords Supper, is chief; by them called the
Sacrament of the Altar, *Propitiatory Sacrifice*,
 &c. the polluting whereof, by not adoring
 their *Hof*, by irreverent and unworthy re-
 ceiving, &c. is, with them, *Sacrilege* (al-
 though they account it no *Sacrilege*, to rob
 the people of the *Cup*;) the not admitting of
 their *Additional Sacraments*; The alienating,
 detaining, converting to common uses, any
Vessels, *Vestments*, *Relicks*, *Images*, *Goods*, or
Lands, upon any account given to the *Church*,
 or to *Religious houses* (as they call them)
 which God never required at their hands, nor
 gave them warrant, or direction for the dona-
 tion of them, is by them pronounced and de-
 clared to be *Sacrilege*, which hardly any satis-
 faction can expiate, unlesse it be to the great
 gain of such as *teach men so*, and reap the
 whole profit thereof.

That sundry of these, are great sins, is wil-
 lingly granted: but, that they are all *Sacrilege*;
 or that some of them are any sins at all, is de-
 nied. Hence, *Hales* (u) and others of the
 acuter School-men, are forced to distinguish
 of *Sacrilege*, that it is taken sometimes *pro-*
perly; sometimes according to *common* (and
 improper) *use of the Word*. And, what *sin* is
 it, to beat a quarrelling Priest, when he is
 drunk, or otherwise taken abusing his neigh-
 bours wife, &c. to recal an unwarrantable and
 rash vow, such as that of *Jephre*? the not
 worshipping of their breathen Idol, the not
 ad-

(u) Ubi su-
pra, mem. I.

Chap. 2. admitting of more than two Sacraments? the acting of some Civil or Scholastick busineses in Church-yards, or Churches, when the publick Worship or service of God is not thereby hindred, or prejudiced? the imploying of the stones, or other materials of desolated, ruined, and deserted Fabricks of Churches, to private uses (which last, a late eminent Padant once falsely charged upon Dr. *Burges*, who was no more guilty of it, than his Malignant accuser) &c. to passe by other particulars.

To make the mistakes of the *Canonists*, *School-men*, and of all that follow them in their Definitions or Descriptions, and Discourses of *Sacrilege*, yet more Demonstrative and conspicuous; Consider, 1. the *Etymology* of the word, and the use of it in holy Writ. 2. the nature of *Sacrilege* properly so called.

1. Touching the *Etymon*, or true signification of the word, *Sacrilege* is borrowed immediately from the Latine, *Sacrilegium*, as all agree. But, this being a compound, there is some difference among the Learned, touching the simple words of which it is compounded. That Great *Irrefragable* Dr. *Alexander of Hales* (w), Etymologizeth it thus: *Dicitur Sacrilegium, quasi Sacriedinum, eò quod ladiat sacrum.* *Sacrilege* is so called, as if one should say, *Sacrilade*, because it doth wrong or hurt somewhat that is sacred.

Hence perhaps, his famous Scholar and Pupil, *Thomas Aquinas*, describes *Sacrilege* to be a vice, whereby *reverentia rei sacra debita violatur* (x). That reverence which is due

2. q 99.
in Axiom.

to a thing sacred, is violated: as if the word Chap. 1.
 signified rather an affronting of it, in point of
 reverence and honour, than an usurping or
 stealing of the thing it self. But seeing the
 same *Angelical* Doctor (as he is stiled) pre-
 sently after, in laying down his first conclusion
 (7), (grounded upon an *Etymology* of *Isidore*, y Ar. 1.
 of which, more by and by) defines *Sacrilege* Ibid.
 to be *sacra rei violatio*, a violating of some-
 thing which is sacred; taking violation in a
 large sense (x); and by *sacred*, meaning that x Ibid. 3. m.
 which *ad divinum cultum ordinatur*, (*) is or- Ibid c.
 dained, appointed, or disposed to, or for *Divine*
Worship: I shall passe by that first Description
 of *Aquinas*, and that *Etymology* of *Hales*, as
 being more witty than sound.

Others, more rightly take the word *Sacri-*
lege to be compounded of *Sacrum* and *Lego*,
 which signifies to gather, or grasp to a mans
 private use a thing that is *sacred*, by way of
usurpation, or robbery. Thus, the *Civil* Law
 terms him *Sacrilegus*, a *Sacrilegious* person; *qui*
publica sacra compilavit (a), that hath heaped a l. 6. & l.
 up (for his own use) *sacred things by stealth*. 9. F. ad L.
 So *Isidore* of *Sivil*: *Sacrilegus dicitur ab eo quod* Jal. pecul.
sacra legit, id est, furatur (b): he is said to be b Orig.
Sacrilegious, who gathereth, that is, stealeth seu etym.
 things *sacred*. To the same effect, *Brissanius*, l. 10. c. 18.
Servius, (c) and many more. c in 9. E-
 clog. Virg.

Here, by the way, take notice, that, accord-
 ing to the Genuine and Original signification
 of the word, all *Sacrilege* is *theft*, or *thievish*
usurpation; yet all *theft* is not *Sacrilege*: for
Sacrilege is a *thieving*, or *stealing* of things

Chap. 2. that are *sacred*; but *theft* extends to common things not at all *consecrated*. Hence, *Hales* (d) d Ibid.q. stateth the difference between *furtum*, *peculatum*, & *Sacrilegium*. The robbing of a private person, of any common (that is, unconsecrated) commodity, is properly *furtum*, or *thievery*: the robbing of the publike Treasury of a Citie; or the sophisticating or imbasing the publike Coyne, is (according to the Civil Law) termed *Peculatus*, or more publike wrong by robbery: onely, the purloining, imbezelling, or taking away of things truly and rightly *sacred*, makes the theft to be *Sacrilege*, in the construction of all exact *Etymologies*.

And as this is the proper signification of the Latine word: so is it also of the Greek words; *ιεροσυλία*, by all translated *Sacrilege*, that is, active *Sacrilege*, or the act it self. So is it of the Verb *ιεροσυλέω*, to *commit Sacrilege*: hence, *ιεροσύλημα*, which signifies a thing gotten by *Sacrilege*; or, *Sacrilege* committed: and *ιερούλος*, a *Sacrilegist*, or *sacrilegious person* (e): that is, who stealeth from God somewhat that was *sacred*, wherein God had a special propriety. Thus *Basil* the Great (f) makes him *ιερούλος*, a *Sacrilegious person*, ὁ ἀναθεῖς ἐαυτὸν τῷ θεῷ, εἴτα πρὸς ἄλλον βίον ἀποσπῆναι, αὐτὸς ἐαυτὸν διακλέψαι καὶ ἀφιλόμενος τὸ τῷ θεῷ ἀνάστημα. that hath once devoted himself to God, (suppose, as a *Minister*, or the like) and afterwards by a kinde of petulancy, recoiles, or betakes himself to another course of life, withdrawing himself as it were by theft, and taking away

e H.S. The-
saur.

f Περὶ ἁ-
μαρτίας.
λογ. ζ.

away from God what was before by himself Chap. 2.
given to God; and thereby, become His.

Thus, having seen the Erymology of the word *Sacrilege*, as it is a compound word; before we leave it, some further and more penitious inquiry must yet be made into the proper, strict, and genuine signification of the word *sacrum*, or sacred, unto which the theft of *Sacrilege* is properly limited and confined. Herein the Learned and acute *Isidore*, Bishop of *Sivil* in *Spain*, (above a thousand years since) will give us good help. For he distinguisheth, and sheweth the difference between *Sacrum*, *Religiosum*, and *Sanctum* (g). g Lib. Dist. ferent. lit. s. That is *sacred*; which is truly Gods own: that *Religious*, which pertains to *Religious* men: and that *Holy*, which is consecrated by men. To which he adds, *Sacrum verò & Sanctum est; Sanctum verò non continet Sacrum est.* What ever is *sacred*, is also *holy*: but all that is *holy* (to wit, so called by men) is not *sacred*. Not that these two words are not sometimes promiscuously used: but that there is a difference between them in propriety of speech, which must be observed by such as would be exact in the use of them in a Definition. This, to Lovers of Antiquity, and Philology, hangs out a good light, to lead them to the more exact disquisition and search into the nature of the sin of *Sacrilege*, according to the sense and acceptation of the holy Scriptures, and the best Antiquity; which is the thing here intended to be held forth.

For, all *Sacrilege* must needs referre to some-

Chap. 2. somewhat truly *sacred*, in sense of Scripture.

Hence even those School-men that were out, in extending the sinne of Sacrilege beyond Scripture-bounds, do yet concur in this, that *Sacrilegium* is *sacra rei violatio, aut usurpatione* (h); the violation or usurpation of something *that is sacred*: that is, which is made so by Gods Ordination, or at least by his direction and warrant to be freely given and set apart for his service and worship. Of this, Solomon himself speaketh, when he treateth of *Sacrilege*: *It is a snare to the man that devoureth that thing which is holy; and, after the vow, to inquire* (or, to recal it) (i). Where Tremelius renders *שקר* by *sacrum*. And Junius, in his Annotations, keeps to the same word: understanding thereby (as the Text intends) *the things of God*; or, his just due by command, or warrant from himself.

b Alex.
Hal. A-
quin, alii-
que.

i Pro 20.
25.

4 Mr. Will.
Walker.
Serm. a-
gainst Sa-
crilege.

Upon which Text, Mr. Cartwright hath, in his Commentary, some sharp passages; of which one (k) makes use beyond and beside the intention of that Expositor. For, he saith, That Mr. Cartwright was forced, by evidence of truth, to confess, (as if he would gladly have concealed it, if he durst, which is an uncharitable intimation) *that now, in the time of the Gospel, whatsoever is either established by law, or conferred by mans liberality for the uses of Gods service, is all to be accounted sacred or holy. And for this cause, both the taking away of the whole, or the diminishing of any part of such holy things, is Sacrilege, condemned in Deut. 23. 21, 22, 23.* It is true, that Mr. Cartwright useth

used words to this effect : Howbeit, he never Chap. 2.
intended to aver it to be in mans power, by a
voluntary vow, or dedication alone, to make
a thing *sacred* ; unless God himself had gi-
ven Rules and Directions about it, as he
did in all the voluntary Offerings in time
of the Levitical Law, both for *matter* and
manner. VVherefore Mr. Cartwright con-
cludeth all with this limitation ; *Quod ta-*
men non ita accipi debet, ut si vota nulla cujus-
cunq; generis rescindenda sint, cum hac de legi-
timis votis & ex prescripto verbi factis, sint in-
telligenda : “ Which expression (saith he) is
“ not so to be taken, as if no vows, of what
“ kind soever ; were to be rescinded or re-
“ vers’d, seeing these things are to be under-
“ stood of lawful vows made by the Prescript
“ of the Word. But it pleased not Mr. W. W.
to take notice of this passage, lest it should
make against his not duly-bounded Assertion;
for which he produced that Author. Nor is
it any wonder, he should comprise *all gifts of*
mans liberality, without that following limita-
tion ; because he therein follows the common
opinion too often taken upon trust by many
modern grave learned Authors ; from the
Schoolmen, &c. without just ground.

That place in *Deut. 23.* although it leave a
man at liberty to make, or not to make a *free-*
will Offering ; yet, if he once make a vow to
give such an Offering, it strongly binds to per-
formance ; not, in his own way ; but accor-
ding to the Prescript of God. This must needs
be so ; because whatsoever is vowed, or devo-

Chap. 2. ted to God, for a Divine use, or in order to
 1 *ubi supra*. Divine worship (as *Aquinas* (1) speaks) is wor-
 ship. For, this is to honour God with thy sub-
 m Pro. 3. 9. *stance* (m.) But, whatsoever is so devoted and
 offered to God, if not prescribed by him, is
 n Mat. 15. 9 *will-worship*, which he abhorreth (n.) The
 people of God might not offer what things
 they liked; no, nor so much as they thought
 fit in their own eyes, even of what things
 God himself had given them warrant to give:
 not *thousands of Rams*, nor *sevensousand rivers*
 o Mic. 6. 7. *of Oyl* (o), (although perhaps *Eli's sons*, *Pa-*
palines, &c. would have found room for so
 much, and more, if offered;) but, what, and
 how many *Rams*; and, how much *Oyl*, God,
 in his Law, had appointed, to such as should
 freely offer the same. This is so clear in the
Levitical Rules, that *he that runs, may read it*.
 Yea, the free-will Offerings for the *Tabernacle*
 were all prescribed what they should be, *Exod.*
25. 2, 3, &c. and when the people offer'd more
 than enough for that work, *Moses* by *com-*
mand and *proclamation* restrained them, *Exod.*
36. 5, 6. And when the *Tabernacle* was made,
 not a *Beefom*, *Pin* or *Ash-pan* was to be made
 for it, but according to Gods own *pattern*
 shewed to *Moses* in the *Mount*, *Exod. 25. 40.*
Heb. 8. 5.

If then, free-will Offerings could not make
 them *sacred*, or *holy to the Lord*, in his account
 and acception, further than Himself had given,
 and his people had observed his rules therein;
 how can it be seriously affirmed, and made
 good, That any thing given by men, under
 the

the Gospel, can be truly *sacred* unto God, unless it be such, as for which they have received warrant and direction from his Word, to devote and consecrate it to him? And, if not *sacred*, how can it be *Sacrilege* to aliene, or employ it to common uses? Will God own any thing, as *sacred*, and as having a special propriety in it, (when even where onely the *manner* by him appointed in offering is neglected, albeit the matter be commanded or prescribed *p*) for which himself hath given *p* Isa. i. 11, no order, but rather *against* it? *Erroneous* 12.
Consecrations, give not God a seisure in things devoted by men. Slat. Ministers Portion, pag. 15. q in Prov. 20. 25.

Apposite therefore is the Exposition (*q*) of that holy (and now blessed Saint in Heaven) Mr. John Dod, (a man, in his time, the most *mighty in the Scriptures* that ever I conversed with;) *To devour that which is holy, is* (saith he) *to pervert those things which are by Gods Ordinance appointed for His Service, from the right use of them, to a mans own private gain and commodity.* And verily this is so proper a Definition of *Sacrilege*, so far as it extendeth, that hardly can a better be given; were it not that, in the judgement of some learned men, there needeth somewhat more, to set forth the full nature of *Sacrilege*.

There are, who bring within the compass of *Sacrilege*, not onely the purloining, stealing or perverting to private use or benefit, of things consecrated to Gods worship; but, of things appointed of God, to be destroyed, as being under his *curse*, and under his prohibi-

Chap. 2. tion to spare, or take them for a mans own use and commodity.

r *ubi supra.* Hence Basil (r), Ἀχάρ ηγορεύσας, *Achar*, So Lyra in (that is, *Achan*) committed *Sacrilege*, in taking of the *accursed thing* (f), that is, the *Babylonish Garment*, 200 shekels of silver, and a wedge of gold, and hid it in the earth, in the midst of his Tent (t), for his own use.

1 Verf. 21. Now the word חֶרֶם *Cherem* (which Lyra reads חֶרֶם, or *Herem* u) is in Greek usually expressed by *Anathema*, &c. implying such a devoting of things to God, as is followed with a curse denounced by God upon all that shall steal, use or pervert them: or any other employment or end, than what God himself hath appointed. Hence, not onely gifts consecrated to his worship and service according to his Will; but things by him commanded to be destroyed, are comprehended under the word *Cherem*: and, taken in the former sense, they are called *consecrated* or *sanctified* things, as gifts given to God (w); in the latter sense, they are called, the *devoted* or *accursed thing*: not as being to be preserved, but to be destroyed (x), in such wise and manner as God himself hath commanded: and they are under his curse that shall presume to do otherwise.

Achan therefore, by that Act of his, was guilty of double *Sacrilege* in taking of that one *Cherem*, or *accursed thing*: for, by taking the *Babylonish Garment*, he was guilty of *Sacrilege*, in stealing and keeping that for himself, which God had commanded to be destroyed

ed upon pain of his curse (y). And he com-
 mitted *Sacrilege* likewise, in taking of the
 silver and of the gold for his own use; all
 which God had before consecrated as holy to
 himself, and commanded to be brought into
 his Treasury (z); not to be destroyed, or
 employed to private uses, but for his own ser-
 vice.

Upon this Consideration, the learned and
 accurate *Lambertus Danens*, thus describeth
 things sacred; which to abuse, is *Sacrilege*:
 (a) *Res Divine appellantur, quæ sunt ad sacrum* a Ethic. chr.
 Dei cultum destinata, quasve sibi interdicto pro- l. 2. c. 15.
 lato Dominus reservavit, & in usu commer-
 cioq; hominum esse vetat. *Quarum rerum*
furtum dicitur sacrilegium: 'Those are term-
 ed things Divine, which are destined to the
 sacred worship of God; or which by some
 declared interdict, or prohibition, the Lord
 hath reserved to himself, and forbidden to be
 employed for the use or commerce of men:
 the stealth whereof is called *Sacrilege*.

From all which premises, this appeareth to
 be a proper and full Description of *Sacri-
 lege*, according to the Scriptures, as the re-
 sult and conclusion of what is before laid down
 in reference to Gospel-times, in which we
 live, viz.

Sacrilege is the robbing of God, either by *Sacrilege*
alienating, detaining, purloining, diverting, describ'd
or perverting that which is Gods own by Di-
vine Right; and therefore due to Christ, and
there-

Chap. 2. thereby to his Ministers, whether the things be set apart by express command, or voluntarily given according to Gods special warrant and direction; or, by retaining and converting to mans use what God hath ordered to be destroyed, as a service to himself, upon pain of his curse, denounced not by man, but by God himself.

That *Sacrilege* is a robbing of God, we
b Mal. 3. 8. have (*b*) his own Word for it: It is a *muzzling of the mouth of the Ox that treadeth out*
d 1 Cor. 9. 9. *the corn* (*d*): that is, a robbing of Christ and his Ministers of what by Divine right is due to them from those to whom they preach the Gospel. Nor can it be any other than *Sacrilege* to preserve or make use of what superstitious or idolatrous custom and practise hath set up against God & his true & pure worship; or, which he hath commanded to be destroyed: as, not onely the things secretly taken and reserved by *Achan* (of which before;) *e* 1 Sam. 15. but those things spared by *Saul* (*e*) contrary to the command of God (*f*), do sufficiently shew. So *Chrysostome* interprets that in *Rom.*
f Ver. 3. 2. 2. Of which, hereafter.

What hath been before said, shall suffice for proof of the Description of *Sacrilege* here laid down, and for setting forth the true and full nature of it. Take now some *Corollaries*. For, hence it followeth, that

1. Nothing bestowed by the voluntary, Chap. 2. and free gifts of men upon the Church, that is, 1. Corollary. upon our late Cathedral men, either under the Old or New Testament, is owned, or accepted of God, as his special propriety, and as Holy to the Lord, further than himself hath given warrant and rules for the consecrating, and devoting of it.

This is inserted, to obviate those two first Assertions, which the Answerer to a Letter, superscribed to Doctor Samuel Turner, & printed Anno 1647. Concerning the Church and the Revenues thereof (g) : viz. That God accepts of things given him, and so holds a propriety as well in the New, as in the Old Testament. 2. That God gets this propriety in those things he holds, as well by an acceptation of what is voluntarily given, as by a command that such things should be presented to him. To which Propositions he addeth two more : Namely, 1. That to invade those things, be they moveable, or immoveable, is expressly the sin of Sacrilege. 2. That this sin is not onely against Gods positive Law, but plainly against his moral Law. g Pag. 25.

These he layes as a ground-work of shewing the impossibility for the late King with a good conscience to yield to the alienating of the Lands of the Church taken in his sense, that is to say, of the Lands given to Cathedrals. So that, if it appear that this foundation is but sandy, there will be no need to take down the whole Fabrick stone by stone, (that is, to answer him particularly in all

Chap. 2. his out-leaps, or superstrutives) but leave them to fall of themselves: And it will by good consequence follow, that he, and such as he is, that instilled into the Kings minde such propositions as these, thereby to put him upon, or to strengthen him in such resolutions, as rather to part with his *Kingdoms*, and *life*, than to give his Royal Assent to the alienating of such *Church-Lands*; or, to the change of Government by *Bishops*, be truly guilty of his death, unjustly by them and their party laid upon others.

To prove his first Proposition, he alleageth four Scriptures. But, unlesse he could (which he doth not) make it out that Gods *acceptation* therein mentioned, reacheth to the *Lands* of such *Bishops* as he describeth, and other *Cathedralists*, he laboureth in vain, and puts himself into the number of those *unlearned and unstable* ones, that wrest the Scriptures to their own destruction (h).

h 2 Pet. 3.
16.

His first Text is, *Mat. 25. 35. I was hungry, and ye gave me meat, &c.* This is spoken not of *Church-Lands*, but of necessary and occasional supply by Almes, administred to the *hungry, naked, sick, and persecuted* Members of Christ (*): not of feeding Lordly Bishops, or others fed to the full, and lying in the winde for the like Domination. And whereas he should demonstrate from the Text, that Christ hereby accepted of the gifts of *Lands* to our Cathedral Masters, he confesseth that the Text doth not decide that Christ extends this to gifts bestowed on such as he had en-
joyed

* See Hierome on the place.

joyued to teach others ; to wit, to the Apostles, Chap. 2) and seventy Disciples ; yet he (begging the question) confidently affirmeth that *without doubt it must be meant of both Ministers and poor*. It is true indeed, that *Chrysost.* saith, *Hoc potest intelligi & de Doctoribus*, this may be understood of Doctors or Teachers : but how ? not of other mens giving *Lands* to them ; but, of their *feeding others* with the food of *Doctrine*, whereby they might be nourished and grow fat in good works, &c.

Nor doth that Scripture relate at all to *Lands* given so much as to the *poor* ; but, only to present supplies of food, rayment, and other necessities suitable to the instant wants of Christs distressed Members. And however he seem to wonder that Christ should *accept of meat and cloathing*, and *not of those endowments that bring both these to perpetuity* ; yet this would not seem so strange unto him, were he not a stranger to the Scriptures. For, let him search them dueely, and he shall soon finde, that though God made many provisions for the poor, yet none in *Lands*. And how much the poor gain by gifts of *Lands* (especially after an age or two) even under the Gospel, is too lamentable to behold. Nor can he be ignorant, that though Christ accepted of gifts for the poor, yet when they were more than served for present necessity, they were abused, and the poor robbed of them, under Christs own Nose, by one of his own company, even by that *thief judas*. And happy were it for many, that it were a slander, to say, that too many of those

Chap. 2. those that have been since trusted with that *Bag* and with the large revenues given to that use, are too near of Kin, in qualities at least, to that first Treasurer of Christ. Thus we see that the Text, which he wyredraweth, to prove Christs acceptance of *Church-Lands*, cannot in truth be extended to his acceptance of any *Lands* at all.

Howbeit, to put it out of doubt, that Christ in that Text intended to declare that he included his Apostles and Ministers, and accepts of the gifts of *Cathedral Church-Lands*, in that very acceptation of gifts to the poor, and of both, as done to himself; he produceth a second Scripture, as being very plain to that purpose: *He that receiveth you* (meaning his Disciples) *receiveth me*, Matth. 10. 40.

But, Mr. D. herein deceiveth his Readers, as much as he had deluded them before. For, this Text is clearly meant of receiving Christs Apostles, first, in respect of their *Doctrine* and *Ministry*, which in the name of Christ they preached; (Therefore, he saith elsewhere, *He that heareth you, heareth me*) (i): Secondly, in respect of *entertainment for present supply of necessaries*, which Christ and his Father would effectually move the hearts of such as received their *Doctrine*, to impart unto them, so that they should want nothing (k), while they were employed in the work of Christ. But what is this to mans conferring and Gods accepting of *Lands* to maintain the Pomp and State of Lord Bishops, Deans, Deans and Chapters, &c. in a perpetual State of Honour and Digni-

i Luke 10.
16.

k Luke 22.
35.

Dignity above their brethren, albeit they sell- Chap. 2.
dom or never (some of them) preach Christ to
his flock?

It is palpably evident, that, in that very
Chapter, Christ charged his Apostles to pro-
vide neither Gold, nor Silver, nor Brasse in their
purses, &c. and that upon this very account,
that, *the Labourer is worthy of his MEAT* (l) OR 1 Marth.
Hire (m); thereby encouraging them to la- 10.9, 10.
bour, without taking care beforehand for m Luke
provision: and, withall implying too a necessity 10.7.
of labouring, if they expected meat (for it is
his command, that if any will not work, none
should give him to eat) (n). Therefore, he 2 Thel.
would take order against provisions before- 3.10.
hand, that they might more industriously la-
bour in the Word and Doctrine, whereby God
might more effectually stirre up the hearts of
those whom they taught in the Word, to Com-
municate unto them that did so Teach in all
good things (o). Where then will Mr. D. find, Gal. 6.6.
in this Text, Christs acceptance of Lands gi-
ven to Cathedral men, as holding a propriety in
them himself, for a constant pompous pro-
vision (beyond necessary maintenance) even
unto excess, and faring deliciously every day,
whether they labour in the Gospel, or not?

That Christ hath taken care for his Mini-
sters that serve him in the Gospel; and did so
even long before they were in being, is mani-
fest by that in *Deut. 25.4. Thou shalt not muzzle*
the Ox when he treadeth out the Corn: that is,
when the Owner puts him into a floor, and
drives him up and down upon the sheaves
there

Chap. 1. there laid out for him, to tread the Corn out of the Eares, thereof to make bread, he shall allow him liberty to eat part of the same sheaves of Corn, while he is so employed, without muzzling his mouth to hinder such eating. This Law was made, partly to require men to shew equity and mercy to a working
 p Prov. 12. *beast, in tendring the life thereof* (p): but, it
 10. was principally intended to instruct all, how to carry themselves toward his servants in the Ministry of the Gospel; not grudging them their *eating the milk of the flock, which they feed*. Hence that of Paul, 1 Cor. 9. 9, 10. *Doth God take care for Oxen?* that is, did he make this Law with reference onely, or chiefly for Oxen?) Or, saith he it altogether for our sakes? For our sakes, no doubt, this is written, that he that ploweth should plow in hope; and that he that thresbeth in hope, should be partaker of his hope. But, to prove from Matth. 10. 40. that Christ owneth all their Cathedral Lands as given to himself, whether they who enjoyed them, did work, or not work; or, what use soever they made of them, will require time till the Greek Kalends, or untill the thirtieth of February.

His next proof is that known passage of Ananias, and Saphira, Act. 5. *whose sin*, saith he, *was, he kept back part of the price of those Lands he had given to God, for the publike use of the Church*. That his sin was *keeping back part of the price*, and his lying unto God, in saying, that which he brought, was the whole price, when it was but a part, is acknowledged:

ledged: but, that *he gave his Lands to God*, is Chap. 3.
 fallie: for then, by this mans Doctrine, he
 might not sell them. He gave or pretended
 to give *the price*, not the *Land* it self, as is
 clear by the Text. And even *the price*, after
the Land was sold, was in his own power (q), to
 give, or keep it. But here was his wickednesse, q Act. 5. 4.
 that 1. he pretended and professed to give *all*,
 yet kept back a part. 2. when questioned for
 it, whether that *he laid at the Apostles feet*,
 were the whole money for which he sold his
 Land, *he lied*, not unto man onely, but even
 to the *Holy Ghost*, to whom he pretended to
 give the whole for the use of the then perse-
 cuted Church, and for relief of those Converts
 who had then received the Gospel. For this,
 both *Ananias* and his wife (joyning in the same
 sins) were so sadly and suddenly smitten with
 death, to the terror of all that beheld, or
 heard of it.

And whereas he saith, that this was *given*
to God for the public use of the Church, there
 is an equivocation and fallacy in this also. For
 by *Church*, the Text means not, an appropri-
 ation of it onely to *Ministers*; or, at all to
 such Bishops and Cathedral men, as he pleads
 for (whose Government must not be changed,
 nor their Lands alienated) but it is meant of
 the whole body of the then Believers, accord-
 ing to the language of the Pen-man of those
Acts (r): and the money was to be *distrib-* Act. 2. 47.
uted unto every man, according as he had 5. 11.
need (s). 8. 1, &c.

But, to what end, that flourish, that the s Act. 4. 35.

Fa-

Chap. 2. *Fathers both of the Greek and Latine Church generally affirm the crime to be a robbing of God of that Wealth which by vow or promise was now become Gods propriety? It is true, that some of the Fathers make the sin to be Sacrilege: yet the main charge for which they are condemned, is lying to the Holy Ghost. Nor doth any one of the Fathers understand it of Sacrilege by defrauding the Apostles or Ministers of what was given to God in relation to their Office and Ministry (which is the thing for which he alleadgeth it) but for defrauding the whole Community of believers of what for supply of their present necessities they pretended, and falsely professed to bestow upon them, even when the giving of the whole was not required, had they not of themselves given it out to the world, to the Apostles and Church; and to God himself, that they would give all.*

But whereas he, *pag. 26.* alleadgeth *Calvin* and *Beza*, as concurring with the Fathers, observe how corruptly he translateth the words of them both. *Calvin*, saith he, speaking of that fact of *Ananias*, *Sacrum esse Deo profitebatur*: which he translateth thus, *He professeth that his Land should be a sacred thing unto God.* And there, *Beza* too, *Pradium Deo consecrassent*, the man and his wife *they consecrated this Land unto God.* Still, he would fain be harping upon *Land*, but to little purpose: And here, he doth it without all colour or shew, abusing both the Text it self, and these Authors quoted by him, by a false Translation

unworthy of a *Dean*, at least of a *Doctor* of Chap. 2. Laws. *Calvin* saith not, that *Ananias* professed his *Land* should be sacred to the Lord; but the *money* he made of it. Nor can *Beza's* expression of *Pradium* signifie *Lands*; for that were to contradict the Text, which speaks of detaining part of the *price*, not of the *Land* it self. And, let it be meant of *Land*, or *price*, it is nothing to his purpose, that hence would prove the unlawfulness of alienating the *Lands of the Church*, *quod erat demonstrandum*.

If he think from hence, to prove *voluntary gifts*, without command from God, to be *holy to the Lord*, he is mistaken. For, in cases of this nature, when the whole Church is concerned, or the poverty of Gods people is sore and pressing upon them (as now it was) there ought to be so much self-denial, as that he who hath two Coats must impart to him that hath none; and he that hath meat, must do likewise (t): yea, sell that he hath, and give ^{1 Luke 3:} *Alms* (u), which are all commands of Christ: 11. which cannot be shewed, for giving of Lands ^{4 Luke 12:} to Cathedrals. Yet this man is so confident ^{33.} that the Texts alleaged by him are by such an universal consent so interpreted as to prove his Proposition, in relation to the unlawfulness of selling Church-lands, that they may as well doubt whether *God* signifies God, &c. who make question of what he undertook to prove from them.

His fourth Scripture, is, *Rom. 2. 22. Thou that abhorrest Idols, committest thou Sacrilege?*
whence

Chap. 2. whence he seeks to prove, that *God accepts of things given him; and holds a propriety in them, in the New Testament as well as in the Old.* Else, there can be no *Logic* in *Pauls* words. For, if they be not *Gods* goods, it is no *Sacrilege* to steal them: but *Paul* charging men with *Sacrilege*, he plainly implies that the things taken from the *Church* are *Gods* own proper goods.

But the Gentleman may do well to make it out, that *Paul* speaks here of lurching away, or perverting of things, or of robbing the Church of *Lands* given to God for his service and Worship: which will be an hard matter for him to do. He that pretends to so much acquaintance with the Greek and Latine fathers of the Church, may know, if he please, that not onely the fathers, but modern Expositors differ about the meaning of that Text. For, some understand here by *Sacrilege*, the irreligious liberty which some out of covetousnesse, then took in buying, and using those meats which had been sacrificed to Idols, and after sold in the shambles by the Priests, at a lower price than other meat was sold for: which meats, Christians might not so much as touch. And so, *Sacrilege* here meant, is like that of *Achan* and *Saul*, the taking of the accursed thing. Thus *Chrystome*, *Theophylact*, and sundry others.

And seeing *Calvin* was but even now so great a man with *Mr. D.* it will not I hope offend him, to quote *Calvin* upon this Text, as he did upon the former. His words are these;

these; *Sacrilegium est profanatio Divina Majestatis: sed quum Gentes Deorum suorum Majestatem Idolis affigerent, vocarunt duntaxat sacrilegium, si quis subripuisset quod templis dicatum esset, in quibus putabant sitam esse totam Religionem. Sic hodie ubi pro verbo Dei regnat superstitio, non aliud sacrilegii genus agnoscunt, quam Templorum opulentia suppilasse. Quando nullus est Deus nisi in Idolis, nulla religio nisi in luxu & pompa. Sunt tamen qui hic sacrilegii nomine intelligant contrectationem, usumque rerum, quae Idolis erant dicata, quas ne contingere quidem debebant.* "Sacrilege is the profanation of the Divine Majesty. But, whereas the Gentiles fixed the Majesty of their Gods upon Idols, they onely called that *Sacrilege*, viz. If any man had taken away that which had been dedicated to their Temples; in which they thought all religion did consist. So at this day, where, instead of the word of God, superstition reigneth, men acknowledge no other kinde of Sacrilege, than the pilfering, or stealing of the riches, or wealth of their Temples. When as (with them) there is no God, but in Idols (of their own framing) no religion, but in luxury and pomp. There are, nevertheless, who under the name of *Sacrilege*, understand the contrectation, or medling, and use of things dedicated to Idols, which they ought not at all to touch. Which of these Mr. D. best likes, is left to him to choose.

This is not alleaged, as denying that there may be such a sin as *Sacrilege*, under the Go-

Chap. 2. spel in the New Testament : or, that it is lesse odious in a Christian, than ever it was in a Jew, as being more immediately a transgression of the first Table. But still this Author begs the question, by extending this to *Lands*, while he produceth no ground or instance of such an interpretation. Yea, those very allegations, which he produceth (without citing the particular places) out of *Irenaus*, and *Origen*, do (as he alleageth them) referre to *goods*, not to *lands*. And, what he adds, (*so the Fathers generally*) must be limited to what he last alleaged out of *Irenaus*, and *Origen*. Else, it were incongruous, to say, *So the Fathers, &c.* if they speak in another sense. How *Emperours and Kings* have given *Lands* to the Church, shall after be shewed, in due place.

Pag. 29.

His *second Proposition* is this: *God gets this propriety as well by an acceptation of what is voluntarily given, as by a command, that such things should be presented to him.*

For proof whereof, he instanceth in the Temple at *Hierusalem*, which God owns as much as he did the Jews tithes and offerings. These last were his by expresse command; but, the Temple was (if you will believe him) the voluntary design of good David, and the voluntary work of King Solomon: Yea, God expressly tells David, that he had been so far from commanding that House, that he had not so much as once asked that service: whence Paul tells the Jews, that neither against the Law, nor Temple, he

* Aët. 25. 8. had offended any thing (*): implying, that in some case he might offend against the Temple, yet not against the Law. But,

But, was not this man asleep when he wrote Chap. 2.
 this? It is true, that for the *time*, and *persons*
 whom he would have to build it, he had given
 no expresse command: these being but cir-
 cumstances. Howbeit, he must needs confesse
 that the *Temple* it self was to be built by Gods
 own appointment. Did not God, long be-
 fore, tell *Moses* and his people of a *Place*
 which himself would choose, to cause his name to
 dwell there? Deut. 12. 11. Now, what is this
 lesse than a *Command*? And if our Author take
 not upon him to be wiser than *Solomon*, he
 must confesse this to be meant of that very
Temple. For so, *Solomon* himself understood
 it, *My name shall be there*, 1 King. 8. 29. Now,
 although *David* was not admitted to build
 that House, for that he had been a man of War,
 and had shed blood (w): yet *Solomon*, by Gods w 1 Chro.
 expresse appointment and ordination, was 28.3.
 chosen by God to build that House (x). Who x Vers. 6.
 could imagine such frothy stufte should stick
 to the Pen of such an high-flown Author, for
 proof of a *Proposition* of so great concernment
 to him that drew it; That the *Temple* was a vo-
 luntary offering, not built by *Command* of
 God; without which, no man might worship
 there?

He also no lesse confidently affirmeth, that
 to say, *God accepts of meat, drink, and cloath-*
ing, and of money for which Land was sold; yet
not of Land it self, is so contrary to all reason
and practise, not onely of the Christian, but hu-
mane (or Heathenish) world; and, to what
God himself hath expressed in the Old Testa-

Chap. 2. *ment, and no where recalled in the New ; that he that can quiet his conscience with such conceits as these, may (he doubts not) attain the discovery of some Quirks, which, in his conceit may palliate Murders or Adulteries.*

But, this is so false, that it cannot but astonish a modest Reader acquainted with the Word of God, and knowing the truth, to finde him so boldly to affirm that, for which there is no footstep in the Scriptures, as shall hereafter be made out in the fourth Chapter, where it will be more proper (according to the method before proposed) to speak to this futilous and absurd assertion.

2. Corollary.

2. Coroll. *The retaining or using of anything in Gods Worship, which he hath not prescribed, but forbidden, is no lesse Sacrilege, than the robbing of Churches.*

It is all one with *the taking of the accursed thing, and putting it amongst their own stuffe(y).* All monuments of Idolatry, as well as Idolatry it self, were to be by Gods command destroyed (z): because they are as much accursed of God, as the worshipping of Idols themselves (a). Yea, God doth so much abominate such things, that he forbade his people, so much as to *inquire after the Gods of the Nations, how those Nations worshipped their Gods(b).* Now then, Sacrilege being committed in retaining what is accursed, as well as in perverting what is by God accepted and sanctified for his worship and service, it can

can be no lesse than Sacrilege to introduce or Chap. 2.
continue any thing in his service which him-
self hath not appointed, and therefore for-
bidden.

They therefore that are for adoration of the
Host, or of material *Altars*; for Christians
bowing towards the East, for the use of *Copes*,
(brought in by Anti-Christ into the Church)
or of any other Popish or Superstitious Rites
and Ceremonies in the service of God, never
appointed by Christ, or his Apostles, and there-
fore *accursed*, as *Will-worship* (being a *Prophan-*
ation of the Divine Majesty;) may do well to
consider, and lay it to heart, whether they lie
not under the guilt of that great sin; and,
whether God hath not justly (yet mercifully)
punished them with casting them out of their
places, and dispossessing them of their Church-
Revenues, for using, yea, preaching up the
lawfulness of those *accursed* Trinkers, and
persecuting all such as bore testimony against
them?

If any shall plead, that what God hath *ac-*
curfed, belongs to formal *Idols* and *Idolatry*,
and reacheth not to any thing brought in, as
relating to the true God, 'tis a meer evasion
and delusion. For, the *Golden Calf* made by
Aaron, to go before the *Israelites* (c), was ^{Exo. 32.1.}
not intended either by them, or him, to be an
Idol, or false God, such as the Nations wor-
shipped; but onely to be a visible representa-
tion of *Jehovah*, to go before them, instead of
Moses, whom they now apprehended (through
his long absence in the Mount) to have forsa-

Chap. 2. ken them. For, even *the Feast* which they hereupon held, is called a *feast unto Jehovah* (d), in their purpose and intention: and, though they called the Calf *Elohim*, Gods, (as the true God is often stiled) yet not with intent to multiply Gods, or to deviate from the true (if they might be permitted to give the sense of their own action, which God would not suffer:) therefore *Nehemiah*, expressing their meaning, renders the same speech of theirs in the singular number, *This is thy God that brought thee up out of Egypt, &c.* Neh. 9. 18. Yet, even this in Gods account, was a *worshipping of a molten Image; and the changing their glory into the similitude of an Ox that eateth grasse*, for which the Lord would have destroyed them utterly, had not Moses stood in the gap. And yet, for the same offence, *Moses* himself gave order for the killing of about
 e Exod. 32. 3000 men in one day (e), and the Lord otherwise
 28. plagued the people that remained, because
 f Ver. 35. they had made the Calf which Aaron made (f).

It is then no good plea to excuse from *Sacrilege*, that what is done is intended to the true God, and not to Heathen Idols. For when men make an Idol of God, it cannot but be an high provocation of the Divine Majesty, and a contempt of his Law. To such therefore who so do, may that of *Paul* (whether spoken by him to Jews, or Gentiles) be most aptly applied; *Thou that abhorrest Idols, committest thou Sacrilege?* It is not thy protestations against Idolatry, or Popery, that will excuse thee, so long as thou borrowest from either

ther what God hath forbidden (because he Chap. 2.
hath not prescribed) in his worship. If Mo-
ses must see that he make every thing according
to the pattern shewed him in the Mount; who
art thou that shalt presume to follow the pat-
tern of thine own brain, or the traditions of
men?

3. Coroll. Those Magistrates who are 3. Corol-
not as careful to destroy accursed things; that lary.
is, all humane inventions in the worship of
God, do thereby suffer God to be profaned;
and so are as guilty of Sacrilege, as those that
aliene, or give way to the aliening of what is
truely the Lords.

It is recorded to the honour of the Reli-
gious Kings of Judah, that they destroyed all
such things, as in their dayes provoked the
Lord. For so had the Lord commanded to all
Israel when they should enter Canaan, not
onely to drive out the Natives (for their Ido-
latri) but to destroy all their Pictures, and all
their molten Images, and quite pluck down all
their high places (g). Hence it is, that Heze- g Num. 33.
kiah removed the high places, and brake the 52.
Images, and cut down the groves, and brake in
pieces (also) the brazen Serpent (it self) that
Moses had made, when he found that the Chil-
dren of Israel did burn Incense unto it (h). He b 2 King.
not onely destroyed the inventions of men in 18.4.
reference to Idols; but even the institution
of God himself, when abused by men to the

Chap. 2. dishonour of God. And how zealous *Josiah* was also in prosecuting the same work, may be seen at large in 2 *King*. 23. from the fourth verse to the 21.

On the contrary, it is noted as a great blot even to those Kings who had done much for God, *that the high places were not removed*: this is laid to the charge of *Asa* (i), *Jehoshaphat* (k), and *Amaziah* (l). Which is worth their notice, who laboured so much to hold up the late King against the aliening of Church-Lands, but never endeavoured to divert him from, but rather infused into him strong conceits of the great usefulness and holiness of many humane Inventions and Superstitions in the Worship of God, and to put him above all that had gone before him, since *Queen Mary*: upon the compelling of all others to practise the same, as if it had been a great duty in him (for which they cried him up for a most Religious Prince and great Saint) so to do: whereas *David* (a man after Gods own heart indeed) *hated all those that held of Superstitious vanities* (m); and after, died in peace. But, these making formalities and Superstitious Ceremonies taken from Popery, the All of their Devotions, and taking their Lesson out of *Adam de Contzen* the Jesuite (*), for *retroducing the very body of Popery, notwithstanding the Laws against it*, have ruined themselves, and destroyed their King.

i 1 King.

10. 14.

k 1 King.

22. 43.

l 2 King.

14. 1.

m Psal. 31.

6.

* Politic.

1. 2. c. 17.

18.

CHAP. III.

There is, or may be Sacrilege committed now under the Gospel: and, wherein.

THAT there is, or may be *Sacrilege* committed now under the Gospel, is so generally acknowledged by all Learned, Unbiaſſed and Unprejudiced men, that it were but a waſte of paper, time, and of the Readers patience, to beſtow labour to prove the *Quod ſit*. But wherein it now conſiſteth, is not ſo generally agreed. Some extend it to the aliening, purſoyning, or perverting whatſoever is voluntarily given by men, upon any account whatſoever, although neither commanded, nor warranted by any direction in the word. This way run many of very great note in the Church. But of this you have had ſome account before, and may receive further ſatisfaction in that which is hereafter to follow.

And here, in the firſt place, take notice, that here is no intention to plead the cauſe of the revenues of *Cathedral* men, as ſuch; which, however given by men as free gifts, do not, upon thorough examination, appear to be *ſacred*, in the eſteem of God, to whom they are pretended to be conſecrated, nor are owned by him as having a ſpecial propriety in them, ſo as it ſhould be *Sacrilege* to aliene them, after once the function and offices of thoſe men is
abo-

Chap. 3. abolished, and for ever done away. This hath been in part already shewed, and shall afterwards in the next Chapter be more fully demonstrated. If any think otherwise, it is free for them to assert the *Divine right* of those Lands, when they please. Next, let not any further discourse touching *Sacrilege* in retaining any *accursed thing* against which God had given special Order, be here expected. What hath been said thereof in the former Chapter, shall suffice.

The present business here, is onely to shew what settled and standing maintenance God hath set out by, and in his word, as being his own *inheritance*, simply and absolutely by Divine Right, for the faithfull Ministers of Christ under the Gospel, who labour in the Word and Doctrine, not as successors to *Levites*, but as servants to *Christ*, in whose right they receive it: the aliening, subtracting, diverting whereof from those who alone are trusted with the publick dispensing of the Word and Sacraments of Christ, is *Sacrilege*.

This settled and standing maintenance (beside other accessions given by men, not here insisted upon, as *Sacrilege*) is, the yearly Tithes or Tenth of the fruits of the ground, Corn, Hay, Fruits of the Trees, and of all things else, even to mint, anise, and cummine: all which are constantly due to Christ, under the Gospel, by Divine Right; and, thereby, unto his Ministers, that, by his Command and Commission, preach the Gospel, and labour therein as he requireth.

Matt. 23.

23.

It

It is true, that the *Israelites* paid sundry Chap. 3.
 sorts of Tithes: first, one general annual Tithe
 paid by the people to the *Levites*; out of
 which the *Levites* paid a Tenth part to the
 Priests that Ministred at the Tabernacle, and
 after, at *Hierusalem* (n). This *Hierome* (o) ^{n Num. 18.}
 saith, was called *Surgendun*, or the second ^{26, &c.}
 Tithe: and this, the inferior *Levites* that ga- ^{o In Ezek.}
 thered the Tithes from the people in and a- ^{45.}
 bout the several Cities allotted to them, were
 to pay to *Aaron* and the rest, before they
 might eat any part of the remainder (p), ^{p Ver. 30.}
 2. The people, after payment of the first Tithe ^{31.}
 to the *Levites* and Priests, they were again
 truly to Tithe all the increase of their seed (that
 was left) which the field brought forth year by
 year; and this they were to carry up in kinde,
 or in money, to the place which the Lord
 chose, to place his Name there; and, there, to
 eat it before the Lord (q). 3. They yet were ^{q Deut. 14.}
 every third year, to add a third Tithe, which ^{22, &c.}
 should be spent upon the stranger, the father-
 lesse, the widow, and the poor within their gates,
 that they might eat, and be filled (r): of which ^{r Deut. 26.}
 see more, in *Hieron. in Ezek. 45. Joseph. An-* ^{12.}
tiquit. l. 4. c. 8. Dr. Godwin, in Moses and Aa-
ron, l. 6. c. 3.

It is onely the first Tithes, that was annual-
 ly paid by all the people every year, that is
 here asserted to be the settled standing mainte-
 nance, due, by Divine right unto God and
 Christ; and, by vertue thereof, to the Mini-
 sters of the Gospel performing the duties ap-
 pointed by Christ,

For

For proof hereof, consider these six particulars.

1. *Tithes* are called by God himself, *his inheritance*, Deut. 18. 1. where it is shewed, that he gave to the *Priests and Levites*, for their service, two things; *the offerings of the Lord made by fire*; and, *his inheritance*: that is, *Gods own inheritance*: namely, *Tithes*. For these onely were, and are *his inheritance*, distinguished from *the fire-offerings*. So himself claimeth them: *All the Titho of the Land, whether of the seed of the Land, or of the fruit of the Tree, is the Lords; it is holy unto the Lord(s)*. Thus he declared himself to the *Levites*, having vested his *Tithes* in them, Num. 18. 24. *When ye take of the Children of Israel, the Tithes, which I have given you from them for your inheritance*. He that gives them to be *their inheritance*, must first have an *inheritance* in them himself. It being a known maxime universally true, *Nemo potest plus dare quam ipse habet*. No man can give more to another, than what is his own to bestow. And
 s Levit. 27.30.
 Mal. 3.8. hence, he layes *the robbing* of himself (t) to the charge of the Jews, when they withheld the due payment of their *Tithes* and offerings, even while they were yet low, poor, and in many regards straitned in their outward condition, after their return from *Babylon*; and, their seventy years captivity, dissolved.

2. Nor was this a new Title assumed by God for maintenance of the Legal Priests and

Levites, in reference to the *Levitical service* Chap. 3. onely. But Tithes were Gods due from the beginning. For albeit it be not easie to make out the beginning of Gods claim, and his particular injunction for payment of them, there being no Laws set down in writing untill *Moses* his time, which was above 2450 years after the Creation: yet the Scripture is clear for the payment of *Tithes* from the beginning of the first *Priesthood*, which was above 420 years, before that of *Aaron* began. Yea, the Offerings of *Cain* and *Abel* (u), so soon as *Gen. 4. 3.* God had blessed the ground of the one, and the flocks of the other, declare plainly that God had given it in charge to *Adam*, that both himself and his posterity should honour God with their substance, and with the first fruits of all their increase (w): which (whatsoever *Cain* *Pro. 3. 9.* did,) *Abel* faithfully observed; offering the firstlings of his flock, and of the fat thereof, which God accepted (x), therefore, command- *Gen. 4.* ed; Else, he would reject the one as well as the other, with that sharp reproof, *who hath required these things at your hands* (y)? But so far y *Isay 1.* was God from such rejecting thereof, that he *12.* after gives this testimony of his offering, that *Abel* did it by faith, by which he obtained witnesse that he was righteous (z): which could *Hcb. 11.* never be, had he not done it in obedience *4.* to some command of God. For he will have no worship, but of his own appointment.

Indeed from that Text, in *Gen. 4.* the quota pars, (whether a tenth, or not) is not set down. Hence some, that affirm Tithes to be due by Gods

Chap. 3. Gods Moral Law, distinguish between that morality which is imprinted in mans heart by nature, whereby he is said, *to do by nature the things contained in the Law* (a), although he be not yet acquainted with the *Law written*: and, that morality which is *ex instituto & jure positivo*, revealed by God to his people, either immediately, which he did in *divers manners to the Fathers* (b), before his will was committed to writing by the Pen-men of the Scripture; or, mediately, by writing, when *holy men of God were divinely inspired of God* (c), and *spoke as they were moved by the Holy Ghost* (d). Hereupon, it may well be affirmed, that *Tithes* are morally due to God, both wayes; that is to say, even *by the Law of Nature* written in mans heart in the beginning, as to the substance of his duty in offering unto God; according to that before mentioned, *Honour God with thy substance, &c.* and, as for the *quota pars*, or quantity; that, is taught him, *ex instituto*, by some positive Law, either immediately given by God without writing, or by a written word: such is the *Law of the Sabbath*. Nature teacheth that some time must be set apart for Gods publike and solemne worship: but, how much, and how often, Gods particular command, by voice, or writing, must determine.

To apply this to *Abels* offering; it is manifest by the testimony given both of him and it, by God himself, that he did it not of his own head, arbitrarily, but as a duty of homage and thankfulness, and as a solemne worship,
due

a Rom. 1.
14.

b Heb. 1. 1.

c 2 Tim. 3.
16.

d 2 Pet. 1.
21.

due from him to God: Else, it had been abhorred. Therefore, a rule he had from God, for doing of it. And, because it appears not, how much he offered; and, by what positive Law: we must leave this to every mans judgement, without imposing, where the Scripture is not clear. Howbeit, if we may (and, why not?) judge by the examples of the following Patriarchs in this kinde, we may without wresting the Text, or wrong to any, warrantably conclude, that *Abel* offered a *Tenth*; and, had a Rule, or Law given him for it. For, so did *Abraham*; so did *Jacob*, long before that written Law, by which an exact *Tenth* was precisely called for in writing.

To make this point more evident. The first solemn *Priest* that we read of in Scripture, was *Melchisedeck*, *Priest of the high God* (e); e Gen. 14. and, to him *Abraham* gave the *Tithes of all* (f): f 18. Vers. 10. which some say was onely of the *spoiles* he had taken in the War against those four *Kings*, who had before subdued five *Kings*, carried away much spoyl, and many Captives; and, among them, *Lot*, *Abrahams Brothers Son*, which was the occasion that *Abraham* fought them, and rescued not onely his Nephew, and all his goods, but all the goods of those five *Kings*, their *women* and *people* that had been taken in War. In his return, *Melchisedeck* met him, and *blessed him in the name of the most high God*; and *blessed the same God*, for giving him so great a victory. Upon this, *Abraham* gave him the *Tithes of all*, not onely of all those *spoiles*, which did not cost *Abraham*

- Chap. 3. *ham nothing*, as some conceive ; for he *put his life in his hand*, to fight with those Kings (as those three worthies, or *mighty men of David*, who, hearing that *David* longed for *some of the waters of the Well of Bethlehem*, brake through the *Host of the Philistines*, and fetcht him some of it ; which he refused to drink, because, though they escaped without hurt, yet their attempt was dangerous, and so he accounted the *water the price of their blood that went in jeopardy of their lives* to procure it (g). But *Abraham gave him Tishes* of all, that is, of all that he possessed. For *Melchisedeck* and he lived not so far asunder, but that this might well be done. *Melchisedeck* met him at the *vally of Savch, which is the kings Dale* (h): and this, was not ten miles from *Hierusalem*, where *Melchisedeck* dwelt. And then, *Abrahams Tent and dwelling* was in the *plain of Mamre* (i), which was not above fourty miles (if so much) from *Hierusalem*, to which all the *Tribes*, afterwards, resorted thrice a year (k), with their *Tishes*, that were to be eaten before the Lord (l), albeit many of them dwelt much further from *Hierusalem*.
- g 2 Sam. 23. 16, 17.
h Gen. 14. 17.
i Gen. 13. 18.
k Exod. 34. 23, 24.
l Deut. 14. 22, 23.

Now, if any ask, who this *Melchisedeck* was? many conclude him to be *Sem*, the eldest son of *Noah*, who because he lived before the flood, was *without beginning of dayes*; and, without father and mother, as to any knowledge of his *natural Parents*, to those that were born after the flood; and, *and without end of life*, because no mention is made of

it in holy Writ. As for his *Function*, he was Chap. 3.
not of *Aarons Order*, but an *Evangelical Priest*, of the same Order with *Christ* him-
self (m). And yet even he received *Tithes*: ^m Heb. 7.
of which, more, by and by. 17.

If any contradict this, and say, They were
ἀνὰ δυνάμει, tops of heaps; not Tithes; It is an-
swered, that this denies them not to be *Tithes*:
for, they were to give of the best, *τὰ ἀνα-
δυνάμει*, the tops of what they had; that is, the
choicest part, else their Tithes as well as Offer-
ings would be rejected (n). So *Abel* Offer- ⁿ Mal. 1. 3.
red of the *firstlings and fattest*, that is, the
best; as some render the word, *de præcipuis*:
as, the best of the Oyl, is called the fat of the
Oyl (o).

^o Num. 13.

But the great put-off is usually this, that if ^{12.}
Abraham did set forth any *Tithes* to *Melchi-
sedech*; yet mark, he gave them as a voluntary
oblation, not paid them as a due debt. There-
fore that instance proves not Tithes to be due
Jure Divino, before *Levi*. To which it is an-
swered, He both paid, and gave them; paid
them, as a due: gave them, in respect of his
ready and cheerfull payment. This must needs
be so: For, the Apostle so interprets, and ex-
presseth it. *Abraham gave them* (p); and yet, ^p Heb. 7. 4.
'tis said, *Levi paid them in Abraham* (q). ^q Vers. 9.
When we give unto the Lord, praise and <sup>So Cal-
vin and
Jun. in</sup>
a manifest truth, that *Abraham* paid Tithes ^{Heb. 7.}
long before the Priest-hood of *Aaron*, was
erected; and so, *Tithes* cannot be appro-

Chap. 3. priated to, or, terminated in the *Levitical* Priests.

And that it may appear that it was the usual practise of such as feared God, to pay *Tithes* in those times, take one instance more, of *Jacob*, *Abrahams* Grand-childe, vvho being to fly from the face and fury of *Eſau*, in his vvay made a vow, that if God vvould be vvith him, in his journey, give him food and rayment, that he might return in ſafety, then *the Lord ſhould be his God, &c.* and *he would give him the Tenth of all* (r). This vow bound him to payment, but doth not (as *Abulenſis*, and *Bel-larmine* vvould have it) argue a freedom or liberty, for *Jacob* to give or not to give; to pay or deny *Tithes*, no more than it argued a liberty in *David*, to keep or not to keep the Law of God, becauſe *he ſwore to do it* (s): or, that it vvvas at his pleaſure to render praife unto God, becauſe *Gods vvows were upon him* to that purpoſe (t).

It is then a clear caſe, that *Tithes* began to be required and paid long before *Levi*, even to an *Evangelical* Prielt; and therefore they are not *Levitical* as to their firſt inſtitution, or continuance. Not, that bare Antiquity of them alone, argues their continuance now: For, ſacrifices of beaſts, &c. vvvere long before *Levi*, yet, not to be continued, after him. But the precedency of them, before *Levi* vvvas choſen to the Prieſthood, and the Order of *Melchizedeck* to vvhom they vvvere paid, even by *Levi* himſelf, (upon that ſingle account that it vvvas the very ſame Order, of vvwhich *Chriſt*

was

was made a Priest for ever,) being put both Chap. 3.
together, is ground enough to prove that *Levi* never received Tithes upon this consideration, that his service was *Levitical* and *Typical*; but, upon the free gift of God employing him in the present Priesthood; untill our Great High Priest should rise after the Order of *Melchisedeck*, and not be called after the Order of *Aaron* (u): and, that thenceforth, they u Heb. 7.
should return to Christ, and to whom he 11.
should appoint them; *Levi* and his Priesthood being at an end.

3. If we consult Gospel-times, it will appear, that Christ the Lord hath appointed the same maintenance for his Ministers and servants, for their inheritance, as fully and effectually as ever he did to the *Levites*, during their Priesthood and service. For, albeit his Ministers be not of the Order of *Melchisedeck* (for it is enough that Christ himself is such) as to the continuance of each Priest for ever: yet he that hath given the Tithes to his Ministers, is not onely Lord of the Harvest, which they labour in, but Lord of those Tithes which he bestows on them for that labour. And, it is lawfull for him to do what he will with his own. It is too true, that his Ministers have not been in actual possession of Tithes ever since the first preaching of the Gospel; nor during the *Ten grand Persecutions*; no more were the *Levites*, during their wandering in the Wilderness. Yet their right to Tithes was not the lesse, from the very moment that he, whose inheritance Tithes are, made them over

Chap. 3. to his servants, by his first Ordinance, when he first called them to preach the Gospel; as he had done to the *Levites*, from his first appointing and consecrating them to that Priesthood: and allowed it to them, while that Priesthood stood (w).

w Mat. 23.

23.

For, as of old, they that ministered about holy things, lived of the things of the Temple; and they which waited at the Altar, were partakers with the Altar: *EVEN SO* hath the Lord *ORDAINED*, that they, which preach the Gospel should live of the Gospel, 1 Cor. 9. 13, 14. that is, by *Tithes*, so soon as they could be had. For, his referring back to the maintenance of the Priests and Levites, must, in all reason, import, that Gospel-Ministers should now be maintained in the same way, so far as might be. Else, to what end doth he mention that allowance? It is true, some things were so properly *Levitical*, that they could not be continued to Ministers of the Gospel, without denying that one sacrifice of Christ, in which all sacrifices of the Law determined? So that, the offerings made by fire, or otherwise typifying Christ, being but carnal Ordinances imposed on the people of the Old Testament, until the time of Reformation (x), cannot be continued to Ministers of the Gospel, no more can those 48 Cities set out for the habitation of the *Levites*: (albeit it be a good president for Christians to follow, vvhich erect Churches for preaching of the Word to particular Congregations; of vvhich, more afterwards.) Therefore, the Lord must needs, by that his Ordinance

x Heb. 9.

10.

nance (vvhich is not Levitical) endow them Chap. 3. vwith Tithes, morally due to him; and, (by his assignment) to them, in his right.

4. Hence, the same Apostle vvhro vvrote this to the *Corinthians*, gives it in charge to the *Galatians*, (and, in them, to all) that had received the Gospel, *Let him, that is taught in the Word, communicate unto him that teacheth (him) in all good things, Gal. 6. 6.* At that time Christs propriety in Tithes was not otherwise available to Ministers, than onely as a *Title*, without hope of *possession*, untill humane Laws could be procured to recover them from the many. Therefore the Apostle requires them, to allow them such maintenance as could then be raised among Christians converted to the Faith. Yet so, as to Communicate not penuriously or grudgingly; or, of some few things which they least cared for; but, *ἐκ πάντων ὧν ἔχουσιν*, in, or of all their goods. So some, not improperly translate the words. In a word, they were to provide for their Ministers, as the *Israelites* did for the *Levites* attending the *Ark*, in the wilderness.

5. That place also in *1 Tim. 5. 17.* *Let the Elders that rule well be counted worthy of double honour, especially they who labour in the Word and Doctrine*, is conceived to be meant of an honorary allowance by *Tithes*, which *Paul* calls there *double honour*. *St. Hieron (y).* uny com. in derstandeth it of *first-fruits* as well as *Tithes*: *Mal. 3. 8.* which two in his apprehension make up the *double honour*. For having largely opened that passage in *Mal. 3. Ye have robbed*

Chap. 3. saith God, in *Tithes and Offerings*, he subjoyns touching the peoples due honouring of the Ministry of the Gospel, *Quod de decimis primitiisque diximus*, qua olim dabantur a populo sacerdotibus ac Levitis, in Ecclesia quoque populis intelligite: quibus praeceptum est non solum *Decimas & Primitias dare*, sed & *vendere omnia qua habent*, & *dare pauperibus*. Quod si facere nolumus, saltem *Judeorum imitemur exordia*, ut pauperibus demus partem ex toto, & *Sacerdotibus honorem debitum deferamus*. Unde dicit *Apostolus*, *Honora viduas*, & *Presbyterum duplici honore honorandum*. Quod qui non feceris, *Deum fraudare*, & *Dominum supplantare convincitur*. "What we have said, (saith he,) touching Tithes and first-fruits, which of old were given by the people to the Priests and Levites, understand ye also of the people in the Church now, to whom it is commanded not onely to give Tithes and first-fruits; but, to sell all they have, and give to the poor. Which if we will not do, at least let us follow the Jews, who at the beginning gave part of the whole, and let us yield due honour to the Priests. Hence the Apostle saith, *Honour widows*; and the Elder or Presbyter is to be honoured with double honour. Which he who performs not, robbereth God, and is convinced to (do his worst to) supplant even the Lord himself. He is not here produced for payment of first-fruits, or for selling all, and to give it to the poor, (which Christ put upon him, who would needs be perfect beyond others) but onely to shew what

what his judgement was touching the meaning of *double honour* due to the Evangelical Ministers in point of *Tithes*. Chap. 3.

6. But, that it may appear more expressly, that *Tithes* are the proper maintenance set out for Ministers, by Christ, under the Gospel; and, that it was the Apostles meaning, in all those places (cited to prove this point) to presse upon Christians the due payment of *Tithes* to Ministers of Christ, take notice of that whole discourse of the Apostle, *Heb. 7.* touching *Abrahams* (and therein, of *Levies*) payment of *Tithes* unto *Melchisedeck*; by which it appeareth that *Tithes* were Gods due long before *Levi*; and, were to continue, after *Levi* and his Priesthood were laid aside: even so long as Christ shall imploy a Ministry upon earth.

First, the Apostle gives a description of *Melchisedeck*, (that he was *King of Salems*, & *Priest of the most high God*) and, the occasion of his meeting with *Abraham*, and of *Abrahams* paying *Tithes* unto him, *v. 1, 2, 3.* Then, the Apostle makes a double use hereof: the one concerns *Melchisedeck*; the other, all the posterity of *Abraham* by faith, as well as by natural propagation; and, of *Levi* himself in particular. By all which, he intends to make good the *morality* of *Tithes* before the Law; and, the *perpetuity* of *Tithes*, after the Law Ceremonial and Levitical.

His first use, and inference is, the greatness of *Melchisedeck*; who was so great, that even

Chap. 3. *the Patriarch Abraham* (the father of all the faithfull) *gave the Tenth unto him*. Therefore, he must needs be *greater* than all that descended out of the loins of *Abraham* in the ordinary course of propagation; *Levi* himself, *who took Tithes of his brethren that came out of Abrahams loins*, (as well as He) not excepted; but, taken into the number of those who, in *Abraham*, paid Tithes to *Melchisedeck*, that *was not counted from Levi*, or from any, proceeding from *Abraham* as *Levi* did. Also, he must needs be *greater*, because *he blessed Abraham*, which further argues his *greatnesse* above *Abraham*, vers. 4, 5, 6, 7. And so, *Tithes* could not be, first, due to *Levi*, upon any account, whether of his *descent*; or *Priesthood*, because he, from whom *Levi* descended, paid Tithes to a *greater*; and, *Levi* himself (then in *Abrahams loins*) paid Tithes also to the same *Priest* of another Order; above his own. Hence, this Argument for the *Morality* of Tithes. Tithes, which are alwayes paid by the *lesser*, by way of homage, to the *greater*, could not be *Ceremonial* or *Levitical*; and so not temporary onely; because *Tithes* were paid long before *Levi* was born, to the *Priest of the most High God*; and that, even by *Levi* himself, and by *Abraham* from whom *Levi* sprang, to a *Priest*, *greater* than either *Levi*, or *Abraham*. Therefore Tithes are due by a more ancient, and higher Law, than that by which *Levi*, during his *Priesthood*, did enjoy them.

The other inference, or use which the Apo-
stle

He makes of that story of *Melchisedeck*, is, the Perpetuity of Tithes. For, if they were paid to *Melchisedeck*, as a Priest, not of *Aarons* Order, but of longer continuance; then, the payment of them must continue so long as that *Priesthood* lasteth. But, that is an everlasting *Priesthood*: therefore, *Tithes* are perpetual. This is the summe of all that follows in that Chapter touching *Melchisedeck*, whereby he endeavours to prove Christs Title unto *Tithes* for ever: and, by consequent, the Title of his Ministers claiming under Him, to the same maintenance.

To make this last more plain; observe,
 1. That Christ is here proved to be a *Priest* for ever after the Order of *Melchisedeck*, and that by Oath: not onely, by his living for ever; but, by taking *Tithes* whiles he liveth: therefore he saith not, *Christ is a Priest for ever*, because he is without beginning of dayes, or end of life, as becomes the Son of God to be, who abideth a *Priest* continually (2); but because he liveth, and taketh *Tithes*. Here, saith the Apostle, (meaning where *Levi's Priesthood* obtains) *men that die, receive Tithes*: that is, for so long time as they continue undischarged of their Office. But there, that is, where *Melchisedecks Priesthood* takes place, He receiveth them of whom it is witnessed that he liveth (a). He; that is, *Christ*: for, to him a *Verf. 7.* and to no other, can that relative referre; even to that other *Priest* that was to rise after the Order of *Melchisedeck*, and not called after the Order of *Aaron* (b); so that, thereby the *Priest-* b *Verf. 11.*

Chap. 3. *Priesthood was changed*, whereupon followed
 c Verſ. 12. *a neceſſity of a change alſo of the Law* (c); not
 an abrogation of the Law for *Tithes*; but, a
change of the Law, that is, for the taking off
Tithes from *Aarons Order*, and for the paying
 them conſtantly unto Chriſt, the ſurviving, and
ever-living Prieſt; and to ſuch, as, by his Ordi-
 nance, have power, under him, and in his right,
 to receive them: which are, the Miniſters of
 d 1 Cor. 9. his Goſpel, and no others (d). For, if during
 14. the Law, while *Tithes* were due to God, he
 received them onely by the hands of the
Prieſts and Levites, to whom he then allowed
 them for their maintenance; and, when paid
 to them, they were ſaid to be brought *into his*
ſtore-houſe, that there might be meat in his
 e Mat. 3. houſe (e): then it will neceſſarily follow, that
 10. now they are paid unto Chriſt, if truly paid
 to his Miniſters, and Officers by him appointed
 to receive them.

Therefore, all yearly *Tithes* are the proper
 ſtanding maintenance ſet out by Chriſt for
 Miniſters of the Goſpel in all Churches of
 Chriſt, gathered and ſetled within a well-go-
 verned Chriſtian Commonwealth, that, in o-
 bedience to God, and for propagating of the
 Kingdom and Goſpel of his Son, have made
 Laws for the due payment of Chriſt his por-
 tion; not as taking riſe from their Laws in
 point of inſtitution or title, but as forcing o-
 bedience to the Law of Chriſt, where other-
 wiſe, his Ordinance will not be obeyed. Much
 more might be added. But, ſo many worthies
 have handled this point of the *Divine Right*
 of

of Tithes, with so much learning and judgement, that it is far better to transmit the Readers to them for further satisfaction, and for full Answers to all Cavils against it, than to hold them any longer in this present Discourse. Chap. 3.

From which premises, it must be concluded by way of *Corollary*, or *Inference*, That to aliene, detain, purloin, or divert Tithes to any use (under any pretence whatsoever) other than for the maintenance of the Ministers of the Gospel, and their families, or for the education and training up of apt persons for the Ministry (as sons of the Prophets) such are our *Colleges* in the *Universities*, as of old the families of the Priests and Levites, were maintained by the Priests portions, is *Sacrilege*: not onely in those who so aliene, and pervert Tithes, but in them also who purchase, possesse, or imploy them: if they be not Ministers of the Gospel; or, being Ministers, preach not the Gospel; if not disabled by age, sickness, or other inevitable necessity: The detaining of Tithes being a *robbing of God*, and a defrauding of Christ of what is his proper due, made by God for ever holy to himself. So also is, the demising or leasing out of *Appropriate Tithes*, by Cathedral men, whether *Bishops* or others, for great fines converted to their own private use, reserving onely the *old Rents*, to which the Laws tie them; while in the mean time, they cannot but know that the Ministers of those places cannot have so much as a Competency to live upon; whereby even the

Chap. 3. the ablest Ministers, that take most pains, must live so penuriously as is unworthy of the Ministry, in those places; or else be forced to leave them; and so to expose the people to everlasting destruction: for, *where there is no vision, the people perish* (f). They then, that declaim so much against the *Sacrilege* of others in point of *Lands*, should do well to reflect upon themselves in the leasing out of *Tithes*, for which they will be one day found guilty not onely of *Sacrilege*, but of the greatest murder in the vworld, even of *the Souls of men*. If others, for buying *Church-Lands*, plead for their Warrant humane Lawes, these Prelatical Masters make a pish at it; because (forsooth) those *Lands* are given to God, by mens voluntary liberality (vvhich, in the next Chapter vvill appear otherwise;) but vvhen they grant long Leases of *Tithes* to a Lay-man, *Tithes* being undoubtedly *holy to the Lord*, these men think it abundantly satisfactory both to God and man, that such or such Statutes or Laws of the Realm may be pleaded for it. Can *these men*, that judge them *who do such things*, and do the same, yea, much vvorse, think, that they shall escape the judgement of God?

f Pro. 29.
18.

C H A P. IV.

The Lands of Bishops and other Cathedral men, as such, were never warrantably given to God, nor owned or accepted by Him, as holy to the Lord; nor ever were either his, or theirs, by Divine Right.

THe chief and (indeed) onely Argument by which many endeavour to prove it to be *Sacrilege* (o), to *sell*, or *purchase* Cathedral Lands, is this, that those Lands were given voluntarily by men unto God and the Church; and are accepted and owned by him as *holy to the Lord*; therefore, they commit *Sacrilege* who *sell*, or *buy* them for private uses: as *being against* not onely Gods *positive*, but *Moral Law*. If this be not onely denied to be true, but proved, out of the holy Scripture to be false, the whole controversie will soon be at an end. In Order whereunto, take notice, that there is not onely no *command*, but no *direction* or *allowance* in the Scriptures of the *Old*, or *New Testament*, for the endowing the Church with such *Lands*; but rather, enough against it: therefore it is no *Sacrilege* to *sell*, or *buy* them.

o *Ans.* to
a Letter to
Dr. Turner.
pag. 25.

To

Chap. 3.

To make this out, take notice of these Propositions.

1. Under the Law, in the Old Testament, God was so farre from *commanding, owning, or accepting of Lands* to be given to the Priests, or Levites, especially to *Aaron* the chief Priest, (excepting a definite number of Cities for the habitations of the Levites that were to be spread over the whole Land of *Canaan*, and the parts without *Jordan*; and a set quantity of Pasture for their Cattle) that he absolutely *forbad* them to have any inheritance among their brethren (g). And this was to be a Statute for ever, throughout their generations (h). The reason was given before unto *Aaron*, in behalf of himself and the rest of the Levites, to whom God thus; *I am thy part, and thine inheritance among the Children of Israel*. That is, his portion in Tithes and Offerings due from *Israel* unto God, should be theirs. For, of those, to wit, Tithes, he there expressly speaketh; and, upon that ground, denieth them a portion in Lands: *I have given them, (namely, Tithes) to the Levites to inherit, therefore I have said unto them, Among the children of Israel they shall have no inheritance* (i). Should not he (k) then blush, who so confidently affirmeth, that to say, God in the New Testament accepteth of money, and not of lands, is so contrary to all reason, &c. so contrary to what God himself has expressed in the Old Testament.

g Num. 18.

20.

h Vers. 23.

i Vers. 24.

k Ans. to a

Letter, to

Dr. Turner.

pag. 29.

Testament, and no where recalled in the New; Chap. 3.
 that he that can quiet his conscience with such
 conceits as these, may, he doubts not, attain to
 the discovery of some Quirks, which in his con-
 ceits, may palliate either murders, or adulteries?
 For, admit God should, in the Old Testament
 accept of some Lands (upon such and such
 Terms, as in *Leviticus* (1), or elsewhere, God / Num. 1.
 expressly giveth all rules about the nature of 49, 50.
 the Land; and of the redeeming it, or not re-
 deemng it,) to be consecrated to him; vwill
 this prove his acceptance of Lands, in the
 New Testament, of any kinde, quantity, or
 quality, by any man given, upon any account
 whatsoever, untill a Cathedral man shall say,
Hold your hand?

Levi was a Tribe that made up a thirteenth
 part of Israel, (*Joseph* being divided into two
 Tribes.) Neverthelesse, God was so carefull
 to prevent their claim to Lands, among their
 brethren, by Divine Lot, that, when the rest
 of *Israel* were numbred, in order to their se-
 veral Lots in Land, God expressly forbad *Mo-*
ses to number the Tribe of *Levi*, or to take the
 summe of them; and commanded him to ap-
 point them over the Tabernacle of Testimony,
 &c (1). Whereby is mote than implied, that / Num. 1.
 their very Office of Priesthood, was then a c 49, 50.
 barre to their inheriting of Lands: no such
 especially as were chief among them, and were
 alwayes in person to attend the Tabernacle;
 as did the High-Priest.

Indeed the inferior Priests and Levites, that
 from thirty years of age and upward, untill
 they

Chap. 4. they were fifty years old, in their courses, according to their three great families of *Gershon, Kohath, and Merari* (l) *did the work in the Tabernacle of the Congregation*. But being numerous (in all, 8,580) (m), they did not, could not all attend the Altar at once; but onely in their turns. Therefore were they to be dispersed all *Israel* over, to instruct the people in the law of God (n), save onely when their several and respective courses came about, to serve at the Tabernacle. Which being so, there was a necessity of preparing habitations for them in all the Tribes, and some ground for their Cattle, which they were to use as well for travailing thence to the Tabernacle when their turns came, as for their own domestick occasions.

Upon this ground, God bad *Moses* to command the Children of *Israel*, to give unto the *Levites*, of the inheritance of their possession, Cities to dwell in--and suburbs for the Cities round about, for their Cattle, goods, and beasts. Num. 35.1,2,3. But of these none were appointed to the *High-Priest*, who was alwayes resident about the Tabernacle. His house no doubt was also allotted to him: His portion, and the portions of such as served at the Altar in person, consisted in Offerings, and in the second Tithes, that is, in the Tenth of the Tithes gathered by all the *Levites*; which Tenths they were to pay to *Aaron* and the rest that waited at the Altar, before they might share the rest among themselves, or partake of it in common (o).

It is true that the Levites had 48 Cities in Chap. 4. all, set out unto them; and, some Lands: but God first gave the Word for the giving of them, and also limited both the number of Cities (among which were six Cities of refuge) and the quantity of the ground that the Israelites should give unto them. The several names of the Cities, and how, and where situated, are set down in the 21th of Joshua. Their Suburbs were also bounded by a set number of Cubits (p). Nor might the Israelites give, p Num. 35. nor the Levites accept one Cubit more. Nor were they Lords, or sole proprietors or inhabitants of those Cities. Others dwelt therein, and shared also in the residue of the Lands adjacent, as well as they: onely, care was to be taken, that in every of those Cities, so many Levites as were assigned to each Citie, should be well accommodated; and the remainder should still continue to the former Owners. Hence Lyra, on those words, Cities to dwell in, *non dicit ad dominandum, vel ad redditus inde accipiendum, quia sic erant ipsius Regis, vel aliorum Dominorum urbes in quibus habitabant Levite.* "He saith not, Cities for them to Lord over, or to receive the whole profits of them; for so, they were either the Kings, or Cities of other Lords, in which the Levites dwelt.

That this was so, is manifest by the Citie of Hebron (or Kiriath-Arba, the Citie of Arba, father of Anak (q), and a Great man, that q Josh. 14. first founded it.) That Citie, being given to 13. the Kohathites, who were Levites, and had the

Chap. 4. *first* Lot (r), was yet the Citie of *Caleb*; to
 7 Josh. 21. whom *Joshua* had before given it for an inhe-
 10, 11. ritage (s). Therefore, after mention of di-
 5 Josh. 14. sposing *Hebron* to the *Kobathites*, by the free
 13, 14. Lot of the *Israelites*, it is said, *But the fields of*
the Citie, and the Villages thereof, gave they to
 1 Josh. 21. *Caleb the son of Jephunneh for his possession* (r).
 12. Out of which fields, it is clear by the next
 verse, that the *Suburbs* were excepted; for
 these were given to the sons of *Aaron the*
Priest.

Here, by the way, a few words to Him,
 (whether he were a Bishop, or not) that hath
 taken much pains (and shewed good reading)
 to Demonstrate, that *Church-Lands are not to*
be sold: printed An. 1648.

1. He is much mistaken in the greatnesse
 of those *Cities* and *Suburbs*; so also are others,
 (building upon St. *Hierome's* report) (u) who
 say, that those 48 *Cities*, had *Suburbs* of so
 large Circuit, that they exceeded the portion
 of any other Tribe in *Israel*: Which cannot
 be. For, the circuit of the *Suburbs*, given to
 the *Levites*, were but 1000 *Cubits*, to be mea-
 sured from the wall of each *Citie*, outward, round
 about (w); which cannot contain 800 Acres,
 English measure, in the whole, were each *Ci-
 tie* two miles in compasse, which is not pro-
 bable. And, in every of those *Cities*, there
 must be placed near 200 *Levites* and their fa-
 milies: so as, the Land could not extend to
 four Acres apiece to each *Levite*. For, of
 such as were fit for service, there were (as
 was noted before) 8580. All the Males were

22000.

n Epist. ad
 Dordan.

* Num.
 35. 4.

* Num. 3.
 39.

22000 (*), besides *women* and *servants*. Now, Chap. 4.
divide 8580 into 48 parts, (according to the * Num. 3.
number of the Cities) and you will finde al- 39.
most 200 *Levites*, in actual service, in each
Citic. And these served for all the other Ci-
ties and Countreys throughout *Israel*.

As for that conceit of some *Rabbins*, upon
the 3rd of *Numb.* and fifth verse, where 2000
Cubits are allowed for *Suburbs* to each Citie;
that the first 1000 were onely for *walks*, and
recreations; and, another 1000 *Cubits*, for
Fruit, Vines, Corn, &c. this is a meer dream,
and contrary to Scripture. For, 1. the *Sub-
urbs* given to the *Levites* are plainly declared
to be but 1000 *Cubits* (x): and that, not for x Ver. 4.
walks and recreation, but for *their Cattle,*
their goods and beasts (y). 2. the other *thou-* y Ver. 3.
sand Cubits (ver. 5.) which were added; are
said to be *Suburbs of the Citie*, but not of the
Levites. This thousand *Cubits* were for the
Owners, and other Inhabitants of *those* Cities,
beside the *Levites*; as appears by what hath
been before alleaged in the case of *Caleb*, Josh.
21. 12. the *Levites* then had their *Suburbs*
next to the Walls: and the Owners of the Ci-
ties had theirs, without the *Levites*; and so
theirs must be of far greater Longitude and
Latitude, than the Lands of the *Levites*. For,
as in all Cities there is a Tract of ground mea-
sured from the Walls, which belongs to each
Citic, as *Suburbs*: so here 2000 *Cubits* in the
whole; of which 1000 was for the *Levites*.

2. What, and how large soever the Lands
of those *Levites* were, yet had they none, but

Chap. 4. onely *pastures* for feeding of their Cattle, as
 2 In Num. *Abulensis* (upon good grounds,) affirmeth (2).
 35. q. 2.

They did neither sow, nor reap: but yet, had store of Cattle brought in by the rest of the Tribes unto them, as being the Lords. And this is clear from the Text; for, the Lands assigned them, were, for their Cattle, and for their goods, and for all their beasts. Therefore they had onely pasturage. And this could not extend to such a proportion, as should exceed the Lands of the least of the other Tribes.

3. There is a great mistake in the Computation of the Land of Canaan given unto Israel; and, by Lot, cast out for the several Tribes. It is said by the Author of *Church-lands not to be sold*, that the whole land was hardly 160 miles in length from Dan to Beersheba; and, but 46 miles in breadth, from Joppa to Bethlehem; as if this were the whole length and breadth of Canaan given of God to Israel, and by them enjoyed. And, for proof hereof, Saint Hierome, who lived long there, is produced as a witnesse. But, is not longitude usually reckoned from East to West? and breadth, from North to South? Now, Beersheba is almost South from Dan; and Dan, almost North from Beersheba: and on that account, there is hardly 160 miles between them. But, what is this to the whole longitude of Canaan, divided among the Tribes, from East to West, according to the latest Maps; and, particularly of that, appointed by Authority to be prefixed to the last Translation of the holy Bible, *An.*

1611? It is hardly a fourth part of the true Longitude. And, as for the space between Joppa and Bethlechem, where St. Hierome dwelt, which is said to be 46 miles, it is not the one half of the breadth of the whole Land from South, to North; nor is it said by Hierome, that it is the breadth of the whole; but, of the space between Joppa and Bethlechem, the place of his habitation, which was almost in the middle. And here take notice, that Hierome in that Epistle endeavours to prove, that much of the Land of Canaan promised to Abrahams posterity, is to be understood in an allegorical sense, as if God did not verifie all that he promised to them in the Letter; which, under favour of so great a Clerk, is a mistake. For can we think God would be worse than his word, in kind? Read the several distributions by Lot to the Tribes, in the book of Joshua, and elsewhere, and then it will clearly appear that St. Hierome, in this, was out. But, whatever the length and breadth of that Land was, this is clear, that the Levites enjoyed not one foot more than God had appointed the Israelites to set out by Lot unto them. Therefore, the Lands sold by Christians, *Act. 4.* or by that Hypocrite Ananias, *Act. 5.* can be no warrant for Christians to set out what Lands they please; or, any Lands at all, upon this setting out of Suburbical Lands for the Levites, untill they can shew the like warrant from God (under the New Testament) both for kinde, and dimensions, for the Lands given to Cathedrals.

Now then, if *Bishops* take upon them (as of late they did) to be above *Presbyters*, or *Ministers* of particular *Congregations*, as *Aaron* was above the ordinary *Priests* and *Levites*; it is as clear as *Analogy* can make it, that there is no colour for, nor shew of warrant out of the *Old Testament*, to enable *Bishops* to hold what ever *Lands* the blinde *Deversions*, or *Commutations* of *Penances* of the people, conferred on them: but rather, that there was an expresse *Law* against it. It is true, that after the *Temple* was built, there was (no doubt) *conveniency* of habitation, and perhaps some *Lands* for the *beasts* and *Cattle* of the *High-Priest*, in, or about *Hierusalem*, as there questionlesse was, while the *Ark* remained in the *Tabernacle*. And, if *Bishops* (answerable thereunto) had made it out that they were, as *Aaron*, above the rest of their brethren in the *Ministry*, there had been some reason for the allowance of some *Lands* to them (if they laboured in the *Word* and *Dog-
trine*) while they continued.

Howbeit, (although *Bishops* could not by *Scripture*, make out their Title to the *Lands* they held,) those 48 *Cities* allotted to the *Levites*, with the *Suburbs* pertaining to them, (which *lands* were not to be alienated while the *Levitical Priesthood* was in force) (14):

a Levit.

a 25-34

may, by *Analogy*, be a good Argument for the setting of *glebe lands*, not upon *Bishops*, but upon the faithfull and painfull *Ministers* of each particular or *Parochial Congregation*, for their habitation, and necessary provision

vision of Cattle for their use; and, for the Chap. 4.
acknowledging of them as *sacred*, or *holy to the Lord*. Because Himself commanded the like for the Priests of the Law, who had then, sundry other obventions and incomes, which Ministers now cannot enjoy. Nor, can it be thought that God is now more wanting to the faithfull Ministers of Christ, when *more grace is given* (b) to those to whom they b Jam. 4. 6.
preach, than he was of old to the *Levites*.

And, as God then forbad the sale of those Lands while that Priesthood lasted; so, it will accordingly follow, that *Parochial Glebes*, are not to be sold from the Church, so long as they be employed for maintenance of such Ministers as truly and faithfully preach Christ to the people of those places where such Lands are given. For the very Churches to which they are annexed, were built by men of Quality, and Piety, for the good of the Souls of the *living*. And, those *Glebes* were bestowed for the incouragement of such godly Pastors, as there officiated, and ministred the bread of life to the people, so far as the Founders of those Churches, donations, and endowments were able to judge, and to endow the Churches which they built.

If since, *Sacrilege* hath been committed, by aliening, or applying some of those *Glebes* to private uses, the *Popes* wete first in this sin, and led the way. For they, first appropriated 3845 of the fattest and largest Benefices in * *Church-England* (*), either to their *Italian Harpies*, or *Lands not to be sold*, other their Creatures, of whom nothing could be

Chap. 4. be sure, but that they would feed themselves, and starve the peoples Souls. Afterwards, they gave them to those *Augar* stables of *Templars* and *Monks*, in the heighth of Popery, who never took care of the Churches of Christ; but, to pamper their own bellies like Epicures; and, to maintain the pomp and state of Atheists, under the name and habit of the Church. And since the times that *Bishops*, *Deans*, and *Chapters*, &c. were possessed of such appropriations, they grew worse than their predecessors, in Leasing out some, for many scores of years; and, passing away, other for ever. And whereas those that first enjoyed them, were to make competent allowance to the Minister that officiated: so do not these, but rather starve him. They then, of all others, have least cause or colour to blame the late Parliament, for aliening or selling of those Glebes, to supply the necessities of the State, occasioned by themselves: which Glebes, it were to be wished, might be redeemed again, and restored, for the maintenance of such able and faithfull Ministers in those places, as look more at the Work than the Wages; which is now (if God give a blessing) in a good way to be done.

But, that which is most insisted upon, and which bears most shew of voluntary donations of Lands to the Priests, in the Old Testament, which may be called *sacred*, or *holy* to the Lord, and may not be afterwards *aliened*, or *redeemed*, is that in *Levit. 27. 10.* If a man shall sanctifie unto the Lord a part of a field, &c. which

which *sanctifying*, was, say some, a voluntary Chap. 4.
act, not commanded; yet allowed, and accepted of God; else he would never have put the case, so often, nor have given so many directions in it as there he doth. Therefore they conclude, voluntary offerings, or gifts of Lands to the Church, without command, or warrant from God, makes them to be *sacred and holy to the Lord*, and gives him a *propriety* in them, not to be revoked, or aliened.

To understand this aright, take notice, that divers distinctions are made in that Chapter, all which must be heeded. 1. The Lord distinguisheth of *fields*, said to be consecrated to Him. For the fields are either *fields of a mans possession*, ver. 16. that is, his *inheritance*, which he may retain forever; or *fields which he hath bought, which are not of his Hereditary possession*, ver. 22. The first he might *sanctifie*, or, by *vow*, give unto God; yet so, that he had his liberty to redeem it, according to the value, not of the Land it self, but of the *seed* and profits, adding a fifth part to it: which done, he might as safely take it back, and use it, as if he had never consecrated it. But, if he did not before the year of *Jubilee* redeem it, but *let it go out in the Jubilee*, that is, let it lie unredeemed till that year came about, he might neither then, nor at all redeem it; that *field* was to be *holy to the Lord*, as a *field devoted*, the *possession* (that is, the inheritance) thereof should be the *Priests*, ver. 21. so was it also, in case it could be proved, that he
that

Chap. 4. that had *sanctified* it to the Lord, instead of *redeeming*, would, underhand, sell it to another man: that sale was void, and at the next *Jubilee* the inheritance thereof was vested in the *Priests*, (verf. 20, 21.)

2. The Lord distinguisheth between *redeeming*, and *buying*, or selling. *Redeeming*, is the act of him that *vowed* the field of his own possession; *buying*, is the purchasing of the field of another, for years, not for ever, because all Lands *bought*, were to return to the first Owner at the *Jubilee*, verf. 23, 24. so also is the *selling* of Lands, which could not be for longer time than the next *Jubilee*. Now, if the Owner who vowed a field, would not *redeem* it, any other might *buy* it of the *Priests*; and they not onely might, but ought to sell it to him, saith *Abulensis*, for so many years as lasted to the *Jubilee*, but no longer. After such a man had *bought* it, he might *sanctifie* it to the Lord for so much time as he had in it: but the Inheritance was to be in the Priest. So, if he had *bought* a field, not before consecrated or vowed to God, he might *sanctifie* that till the next *Jubilee*; after which, it was to revert to the first Owner that sold it, verf. 22, 23, 24.

3. The Lord distinguisheth, between a thing *sanctified*, and a thing *devoted*. The *sanctifying* of it, is the first vowing or giving it to God; notwithstanding which Act, he might lawfully redeem, and enjoy it as fully to his own use, as ever he did before the *sanctifying* of it; provided he do it in time, that is, before

fore the next Jubilee. The devoting of it to **Chap. 4.**
the Lord, is a constant setting of it, upon God,
 for the *Priests*, without power of revocation
 or redemption; after once the first Jubilee is
 over, if before, it were not redeemed, upon
 pain of Gods Curse (*), so ver. 21. The field, **תָּרָם** *
 (to wit, which is sanctified, and not redeemed
 before the Jubilee) when it goeth out in the Ju-
 bilee, shall be holy unto the Lord, as a field DE-
 VOTED, the possession thereof shall be the
 Priests, as before was alleged in reference to
 the first distinction. Thus also, ver. 28. No
 devoted thing, that a man shall devote unto the
 Lord, &c. shall be sold or redeemed; every de-
 voted thing is most holy unto the Lord. To the
 same effect *Tostatus* (c).

To apply this to the matter in hand: First,
 it is clear that no Land sanctified to the Lord,
 whether it were Land of Inheritance, or bought
 for a time, did settle such a propriety in God,
 that it was not lawfull to redeem it for ever,
 or to buy it for a time, and convert it to any
 private use, before the next Jubilee: there-
 fore this is of it self no argument to prove
 the giving Lands to Cathedrals to be such a
 consecration as it should be in no wise law-
 full to recal, redeem, or imploy them to any
 secular use again. Yet this is the main thing
 for which this Scripture is so much urged.

2. Although that Text implies some vo-
 luntary Dedications of some Lands to the
 Lord, for the benefit of his *Priests* that did
 him, and the people real and constant service,
 either at the *Altar*, or in teaching the Law;
 yet

c In Levit.
 27. q. 67.

Chap. 4. yet this is no Warrant for the Donation, or continuation of Lands to idle Drones, Lordly Tyrants over the people of God, and such as can never make it out that ever they were truly called of God to those pretended Offices and Dignities for which they claim such large Revenues.

3. Albeit, some fields might sometimes be given to the Lord; and, his Priests, enjoy the benefit of them; Yet, He appointed upon what terms they should be given, and continued: but, no such matter, for Lands given to *Cathedrals*. They being many of them given to the dishonour of God and Christ, as afterwards shall appear, which God hath nowhere given order for their converting to a better use, nor given any rules about them. Nor were those *Lands* consecrated to the Lord, under the Law, the hundredth part of what Cathedralists have, by wiles, not voluntary Donations, heaped up, to consume upon their lusts: Which boundlesse grasping of Lands, by Bishops, Monks, Deans & Chapters, &c. laying not onely field to field, but Mannour to Mannour, to the impoverishing of particular families, and the Commonwealth too, upon the account of the Church, and Gods acceptance thereof, as *sacred*, hath ever been so far from being accounted lawfull, that even an Archbishop himself (having deserted the Romish Church) hath proclaimed it *Sacrilegium, & rapinam injustissimam*, direct Sacrilege, and most wicked robbery. This, saith he, is not to inable men to labour in the Gospel:

spel: but to supply them with fewel for Riot Chap. 4.
and Excesse; and, to pervert what was given
for the benefit of the Church, and for neces-
sary provisions; to the shame, scandal, and
ruine of the Church: it is not to take off,
but to multiply impediments of saving
Souls (*).

* Spalat.

4. Those consecrations of Lands were to *de Rep. Ec-*
be no longer in the Priesthood than their *cles. l. 9.*
Priesthood continued. Afterwards, it was *c. 7. n. 36.*
lawfull for any to buy them, as well as any
other Lands. Therefore, if that instance be
of force to prove the lawfulness of giving
such Lands, it must be of like weight to prove
the lawfulness of aliening those Lands, when
the Offices and Dignities of all Cathedral men
are wholly determined and taken away.

5. Albeit, those Priests might have such
Lands given them, yet *Tostatus* (d) largely and *d In Levit.*
strongly makes it out, that it was not lawfull *27. q. 36.*
for the Priests to keep them in their posses-
sion, but must sell them at every Jubilee, even
after they were devoted to the Lord, by leaving
them to the Lord till the Jubilee. For, first he
urgeth that place in *Num. 18.* forbidding them
Lands among their brethren. 2. He saith
they were confined to those Cities and Sub-
urbs which by Gods Order, were set out for
them by the other Tribes, *Num. 35.* so that it
was unlawfull for them to have either Lands,
or Houses in any other places, or place what-
soever. 3. He urgeth the great inconvenience
of keeping any such Lands in their own pos-
session, because it would much distract and
hinder

Chap. 4. hinder him in the execution of their Offices. Therefore if even such Lands did fall to them, they were not to keep them, but presently to value them; and if he that *sanctified* them would not redeem them, they must sell them to some others. And, even when at the year of *Jubilee* the Lands came to be theirs, they must instantly sell them, and put them into money: and, so, from *Jubilee* to *Jubilee*. Now, what is this to the holding of Cathedral Lands, wherein they who plead for them, use all arguments and means first to get; then, to keep them for ever: whereas on the contrary, God allowed not his Priests to use Arts to get them, much lesse to keep them: but, to use all means to get them off again; until they who consecrated them had neglected the redeeming of them, and none else would buy them; and so they came *devoted*, not by their first consecration, but by neglect of the people who first gave them unto God? nor will those sharp Masters take notice of the difference between *sanctifying*, that is, vowing or giving of *Lands* unto God, and the *devoting* of them; which last makes them *most holy to the Lord* (e), incapable of *redeeming*, or of being *sold*: yet not, in the nature of the thing; but, as having slipt the time limited by God for *redeeming*, or *selling* of them.

e Levit. 27.
28.

If any think (as one doth) that the setting out of *the holy portion of Lands*, about the *Sanctuary* (f), shewed to *Ezekiel* in a Vision (as a Prophecie of the spiritual state of the Churches of Christ under the Gospel) is both

f Ezek. 45.
and c. 48.

a War-

a Warrant and Command to set out *Lands* for Chap. 4.
Cathedralists, to be *holy to the Lord* for ever,
 under the New Testament, this can be no o-
 ther but a manifest perverting of the sense and
 minde of God throughout that Vision.

For, although it be on all hands agreed, that,
 from the 40th Chapter of *Ezekiel*, to the end
 of that book, the maine scope is to decipher
 and describe the flourishing estate of the
 Church, under the Gospel; yet it was never
 affirmed by any Author, that the *Temple* there
 intended, and Gods command for setting out
 so many 1000 reeds of Land for the Temple,
 and the Priests, are to be understood positive-
 ly and properly according to the Grammatical
 Construction of the Words, as if God meant
 to erect another new material *Temple* at *Hie-
 rusalem*, or in *Judea*; and to revive and esta-
 blish the same *Levitical Offerings* and Sacri-
 fices, formerly offered by *Aaron* and his sons,
 to be again offered by *Zadok* and others of
Aarons Order. But that all is spoken in a ^{See Jun.}
 figure, and to be understood of the spiritual in *Ezek.*
 endowments of the Church, better than with 40.
 all the Lands in the World.

Howbeit, this is set forth under Legal ex-
 pressions, and by way of allusion to the mate-
 rial *Temple* of *Solomon*, as being the most live-
 ly and most taking instance, or resemblance
 that was then known, or could be found in
 the whole World, to illustrate and set forth
 to life, the far more glorious estate, and spiri-
 tual priviledges and provisions of the Evange-
 lical Church, the *New Hierusalem* (g), which ^{g Heb. 12.}
 should ^{22.}

Chap. 4. should so far exceed in glory that in *Judea*, as
 g Heb. 12. the *Heavenly Hierusalem* (g), doth the earth-
 12. ly; and, as the *spiritual Temples of the living*
God do exceed that of *Solomon*. Wherefore,
 to draw an Argument thence, for the conse-
 crating of Lands in a proper sense, for the
 maintenance and state of Bishops and other
 Cathedral men, is not onely to proclaim the
 weaknesse of him that doth it, but to publish
 to the world that there is no firme ground in
 Scripture (as indeed, there is not) to found
 any Title of such Lands upon.

h Church-
 Lands not
 to be sold,
 pag. 1. 2.

But, one (h) hath found out a gallant pas-
 sage of *Moses*, to prove, that very Heathens;
 by light of natural reason, found, and held it
 requisite that their Priests should have a settled
 maintenance in Lands. The place is in *Gen. 47.*
 22. where it is said, that when *Joseph*, in the
 extremity of the seven years famine, bought
 all the Lands of the people of *Egypt*, for bread,
 to keep them alive; *Onely the Land of the*
Priests bought he not: which shews they had
 Lands, and that *Joseph* would not meddle with
 the buying of them. But why? what, because
 they were *hallowed*, or consecrated to the *E-*
gyptian Gods, and therefore *Holy*? No such
 matter: but, because *Pharaoh* provided a por-
 tion of meat for them, and they did eat the por-
 tion which *Pharaoh* gave them. Wherefore they
 sold not their Lands. Indeed, Nature may
 teach that God is to be worshipped, that he is
 to have Priests for his worship, and that they
 are to be maintained; but, out of Lands, where
 did Nature ever teach that? If the Heathens
 that

that were most civilized made any standing Chap. 4.
provisions for their Priests, it was in *Tithes*
and *Offerings*. This the Reverend Dr. *Carl-*
ton (i) hath industriously noted out of *Plutarch*, i *Tithes ex-*
Herodotus, *Macrobius*, *Diodorus Siculus*, *Xeno-* *amined,*
phon and others. But, for making such pro- *Cap. 2.*
visions of *Lands*, none of those Authors are
alleaged. And, whereas the Apostle saith,
that *the things which the Gentiles sacrificed,*
they sacrifice unto Devils (k), it ill becomes a
Bishop to urge that Act of the Kings of *E-* *10. 26.*
gypt, in setting out *Lands* for such *Priests*, as
done by the light of nature, which was done
out of ignorance and corruption of nature, as
a warrant for Christians to give *Lands* to Ca-
thedrals.

2. Come we from the *Law*, to the *Gospel*;
from the Old Testament, to the New. Nei-
ther here can we finde one syllable that coun-
tenanceth, much lesse requireth the endow-
ment of *Cathedrals* with *Lands* as *holy* to the
Lord.

There are indeed some wyre-drawn Argu-
ments produced by a great *D.* in his *Answer*
to the Letter to Dr. *Turner*, to make out Gods
acceptance of, and *propriety in such lands*. But;
these have been examined before, and there-
fore shall be here passed over. In the New
Testament there is recorded: 1. Matter of *fact*.
2. Matter of *Ordinance*, for the providing of
maintenance for Ministers, so soon as that *Or-*
dinance could be put in execution.

1. The matter of *fact* will appear, by
what Christ himself; and afterwards, his A-

Chap. 4. possles had for their maintenance in those times.

As for *Christ* himself (although he were of the bloud Royal, of the lineage of David, both by his mothers side, and his supposed fathers side too) (l), he professeth that very *foxes*, and *birds of the aire*, were better provided for than himself: for the one had *holes*; the other, *ests*; but he had not so much as whereon to lay his head (m), neither room, nor pillow. It is true, there was a common purse, or bag, which Judas was trusted with, (and thereupon, tempted to become a thief (n)). And it is manifest, that out of that Cash (contributed by well disposed Converts) (o), both he and his Disciples furnished themselves with necessary food (p); and, gave to the poor besides (q). But as for any House, or Land, for a standing or settled maintenance, or abode, it is clear, he had none; although Heir of all things. Nor was that provision which he had, any dainty, or costly fare: but onely some loaves of bread, and a few fishes, not above five Barly loaves, and two fishes (r), at a time, Mar. 6.38. (which a boy might carry,) for Christ, and his Luk. 9.13. twelve Apostles. Joh. 6.9.

And, what ever Judas did in purloining for himself, the rest of the Apostles were content to observe their Masters Injunction: not onely when he first sent them out, at what time he charged them to provide neither Gold, nor Silver, nor Brasse in their purses, nor scrip s Math. 10. for their journey, neither two Coats (s), &c. but 9,10. even long after, when he had left the earth, and

and ascended heaven, and the multitude of be-
 lievers dayly increased (t): Even then, Peter
 professed to the *same man that lay at the Gate*
of the Temple, and asked an *Alms* of him;
Silver and Gold have I none (u). Yea, a good
 while after that, Blessed Paul laboured, *work-*
ing with his own hands (w), as a *Tent-maker*:
 and that, *night and day*; not for recreation, or
 out of covetousnesse; but, *to minister to the*
necessities not onely of himself, but, *of those*
that were with him (x): not as having no
 right to maintenance (y); but, that *he might*
not be chargeable unto such, as being yet un-
 converted, or not fully satisfied touching the
 Ministers allowance, might take offence at his
 requiring of present maintenance (z). There-
 fore, sometimes he would take maintenance
 of one Church, convinced of their duty in ad-
 ministring to him, to supply his wants while
 he preached to another, more disaffected, un-
 satisfied, covetous, or quarrellsome: Thus *he*
preached the Gospel of God freely to the rich,
 voluptuous, and quarreling *Corinthians*: *rob-*
bing other Churches, by taking wages of them, to
do service to the Corinthians (a). Where, by
 the way, take notice, that he that taketh
 wages where he doth not, or hath not *done*
service, is a *Church-robber*. It is true, if he
 work faithfully elsewhere, and no mainte-
 nance is there, without scandal, to be had;
 and another place where he hath industriously
 laboured, is willing to afford contribution,
 upon that account: it is not such a *robbery* as
 is sin in him: but, by it we must understand it

Chap. 4. to be a sin in them, who put him upon it (as *Quakers* and others would now do by the Ministers of the Gospel:) for they refusing to maintain him, do what in them lies, to put him upon *robbing* others.

Let no man hence conclude, 1. That Christ meant to starve his Apostles when he sent them out to preach; or, took not sufficient care for their provision. For, by their Ministry, He so wrought upon those to whom they preached, (if *sons of peace*) that his Apostles *wanted nothing* (b): and that upon this account, That *the labourer is worthy of his meat*, (saith *Matthew*) (c), of his hire (saith *Luke*) (d). This is then, allowed to those who are commissioned by Christ to preach the Gospel; But not to usurpers and false Prophets that *run before they be sent*, supposing *gain to be godlinesse*. Unto such *Priests* that *so teach for hire*, and to such *Prophets as so Divine for money* (e), a woe is due, which will be accomplished on them.

b Luke 22.
35.
c Matt. 10.
10.
d Luke 10.
8.
e Mic. 3.
11.

Nor, Secondly, That it is hereby intended, that it is unlawfull now for Ministers of the Gospel, to have more or better allowance than Christ, or his Apostles were pleased to take (when they were first to plant the Gospel) untill men were better instructed and satisfied touching the Ministers dues: but, that God hath provided better for them, which they might lawfully receive and enjoy, when once his people are throughly convinced of their duty.

All that is inferred hence, is but this: that
it

it cannot be thought, that either Christ or his Chap. 4.
 Apostles ever thought of allowing, or own-
 ing the Lands given to Cathedral Bishops,
Deans and Chapters, &c. when neither He, nor
 his Apostles ever accepted of *Houses* or *Lands*
 for themselves; and when the one enjoyned,
 and the other observed the injunction, that
 neither *Silver* nor *Gold* should be provided for
 supplying their wants beforehand, in those
 times of the first plantation of the Gospel,
 wherein it nearly concerned those that were
 employed in the planting of it, rather to suf-
 fer want of things necessary, than to give of-
 fence in the unseasonable demanding of sup-
 ply.

2. As to the matter of *Ordinance* and *Insti-*
tution for the maintenance of labouring (not
 loytering) Gospel-Ministers, it is not neces-
 sary here to say much; because it is hoped,
 that enough hath been said in the former
 Chapter, to give satisfaction herein. Onely,
 take notice, that seeing Christ hath been plea-
 sed to own this rational proposition, that *the*
labourer is worthy of his meat, or hire: Surely,
 he intended such *hire* as might be suitable to
 the state and condition of the Church, in the
 several ages and vicissitudes thereof, where-
 in his labourers took pains in his Church.
 With this neverthelesse, that (what ever the
 maintenance should be,) it must not be urged
 from his assertion, that *Bishops* and *Cathedral*
men should have *Lands*; till they can shew
 better Title to such Lands, than either the
Priests and *Levites* had (over and above their

Chap. 4. definite Cities and Suburbs) to keep Lands in their possession for ever : or, than any rule, or hint in the New Testament will undoubtedly warrant them to do : Not that it is unlawfull for Ministers of the Gospel to possess Lands falling to them by inheritance, or purchased with their money : for such Lands they hold not as Ministers in right of the Church, but as Civil Proprietors of an estate, of which it is, without question, lawfull for them to dispose, as they please. But that which is here spoken, is in reference to the particular Texts produced to prove that the New Testament affordeth Commands for giving Lands to Cathedrals, which to aliene, is, Sacrilege.

“ But, if none of all this *satisfie*, to warrant
 “ *Cathedralists* to hold Lands, and to prove
 “ *Gods Charter* for it; yet it is hoped, (f), that
 “ of our most blessed Saviour will do it fully
 “ where he saith, *Is it not lawfull for me to do,*
 “ *what I will with mine own* (g)? where the
 “ Interrogation hath the force of an undoubt-
 “ ed affirmation; as if he had said, Question-
 “ lesse, it is. Ergo, he hopes, *Lands may be*
 “ *given to the Church.* No doubt they may, as
 “ the 48 *Cities and Suburbs*, were to the *Priests*
 “ and *Levites*. But, not by force of that Text
 “ now produced. For, that is not spoken of
 “ mens giving unto God; but, of Gods free
 “ gifts unto men. Besides, it is to *labourers*,
 “ not *Loyterers*, in his Vineyard: not to such
 “ *labourers* as would work where, when, and
 “ how they list; but, as the Lord, or his Steward
 “ should direct, and command: nor, for *beating*
 “ *their*

f Church-
 Lands, &c.
 P. 4.
 g Mat. 20.
 15.

their fellow servants; but, for giving them *their* Chap. 4.
meat, in due season. Briefly, you may observe
 in all the places quoted by the Advocates for
 Cathedral Lands, that nothing is precisely
 and positively vouched, which in terms, or
 equivalency, imports the giving to God; and
 his accepting of Lands for Cathedrals; but,
 long fetcht, and hard strained interrogations,
 or inferences rather forced upon the Text,
 than naturally flowing from it; which, in the
 issue, comes to no more but a bare begging of
 the question, and of an admitting what they
 say upon such begging discourses, to be an un-
 questionable truth.

But especially, great use is made by the ^{Pag. 5. pag.}
 same Champion for Cathedral Lands, that ^{18. 35. &} *he*
doubts not (and, if he *doubt not*, who dares to do
other?) *but that this* (which he undertook to
 prove, *viz. that Lands may be given to the*
Church) *is the opinion of the Assembly of Di-*
vinnes lately sitting at Westminster, and of all
Learned Orthodox Divines in Christendom.
 Confidently spoken; but not, for want of igno-
 rance of what he so speaketh.

Touching his so often vouching *the Assem-*
bly of Divines (whom he afterwards (*) un-
 christi-^{Pag. 71.}anly revileth;) know all men by these
 presents, that either he knoweth not what he
 saith, or wilfully imposeth upon them what
 they never held out. It is very true, that some
 Members of that *Assembly*, joyning with some
 others, did compile some *Annotations upon the*
Bible; which many take to be the vwork of
 the *Assembly*. But take this for an undoubted
 truth,

Chap. 4. truth, those *Annotations* were never made by the Assembly, nor by any Order from it; nor after they were made, ever had the *Approbation* of the Assembly; or were so much as offered to the Assembly at all, for that purpose, or any other. Therefore whatever is alleaged by that Author of *Church-Lands not to be sold*, he must go look somewhere else for the Compilers of those Notes; and, forbear to charge them upon the Assembly, which never took the least notice of them. And when he hath found the right Authors, he may, if he please, send to them to own what he alleageth out of them, and thank them (whom he scornerh) for helping him to Arguments, which (as he thinks) make against themselves.

Touching *all the Learned Orthodox Divines in Christendom*, which he layes claim unto, to be of his side, it moveth not, beyond a vapouring flourish, till he produce them. And, were they all of his opinion, yet what is that to what he undertook to prove out of Scripture? Indeed he makes use of some bits snatcht out of *Calvin, Beza, Deodat*, and sundry others, whose words he either wresteth, or alleageth to no purpose. But let him make what advantage he can of them: yet they are but *men*, subject to the same infirmities with others; of which, an appeal may safely be made to his own conscience. Therefore, however they may be made use of in some cases, especially against themselves, and their own party (as by that Author they are) yet it cannot be thought needfull, or equal, to
answer

answer to every passage alleaged out of them, Chap. 4.
 unlesse it be quoted to stop their mouths who
 seem to allow them *dominion over their faith*.
 This is spoken, not to wave any thing mate-
 rially alleaged out of them; but that there is
 nothing produced, that comes up to the proof
 of that, for which that Author undertook to
 alleage them.

Here might we stay, if men would be per-
 swaded to rest in the Scriptures. But, because
 much is produced out of Antiquity for the
 proof of mens *giving*, and Gods *accepting* of
Church-Lands, we must go on further; and
 see what use is made of Antiquity herein, and
 upon what grounds. And this, the rather;
 because it may be better known when, and
 upon what terms the maintenance by *Lands*
 began to take place in the Church.

The first news we hear of any *Lands* con-
 ferred on the Church, was in the time of Pope
Urban the first, about the year 228. who in-
 stituted (*h*), *ut Ecclesiis, pradia ac fundos, a* ^{*h* Platina}
fidolibus oblatos reciperet; partireturque pro- ^{*in Urban. 1.*}
ventus clericis omnibus virisim, nihilque ejus-
piam privatam esset, sed in commune bonum.
 "That he (meaning the Bishop, as we have it
 "in *Gratian* and *Peter Crab*) should receive
 "the Churches, possessions, and grounds, of-
 "fered by the faithfull; and, that the profit
 "thereof should be divided to the Clergy, man
 "by man; and, that nothing should be of pri-
 "vate propriety to any, but all cast into one
 "common Bank for the good of the whole.
 For, that is the meaning of our Author. In-
 deed

Chap. 4. deed *Gratian*, and the rest of that Drove of Romish *Canonists*, tell us of a *Decretal* Epistle of *Urbane* directed to all Bishops, wherein under pain of Excommunication he decreeth, that none should presume to alienate ought of the Churches Revenues, &c. But this, *more suo*, they have invented for ends of their own; the very phrase, stile and matter of that Epistle being altogether incongruous and unsuitable to the language and state of the Church, or the Authority assumed by the Bishops of *Rome*, at that time. And, be it that *Urbane* did write such an Epistle, it appears not when those Lands were given: and, whatever Lands were given to other Churches, they at *Rome* had none, in a good while after, as shall presently be shewed.

But, if all this be admitted, that the Church in those times had some Lands, what is this to their purpose, who plead for Church-Lands now? There was none then given in particular to Bishops, Canons, any of the Clergy, to be for their own particular use, or personal propriety; those Lands were given to the Church in common: but that is long since laid aside, and every one pulls and hales what he can into his own purse, *tanta est hominum rapacitas & libido*, so great is the rapacity and lust of men, saith *Platina* (1). Now, this rapacity, this lust of covetousnesse is that indeed which is pleaded for by the sticklers for the continuation of such Lands to the Church, that is, to themselves.

i Ibid.

And as for Pope *Innocent* 1. who saith Bishop of

of *Rome* about 23 years after *Urbane*, (but continued not in the Sea above eight moneths, saith *Eusebius*; *Marianus Scotus*, saith, but five moneths) there is not one word in *Platina*, touching his taking notice of Church-Lands. All that is to be found, is in the Canonists, and Compilers of the *Councils*, steered by the interest of *Rome*. So, *Crab*, and others, found out a Decretal Epistle of *Lucius*, directed to the Bishops of *France* and *Spain*, to the same purpose with that of *Urbane*. It is indeed fathered upon *Lucius* 1. but there are so many expressions in it, of *Benefices*, &c. (Names and Titles never heard of in those ages) as plainly discover it to be a false imposing of it upon that *Lucius*; for that it better agrees with, and may more fitly be imputed to *Lucius* 2. or to *Lucius* 3. above 900 years after the first. And, what likelihood there is that he, that in the time of the first Schisme, caused by *Novatianus*, had work enough, could in so short a space as he saith Pope, do his duty against that Schisme, and be at leasure to make such decrees as are fathered upon him touching *Church-Lands*; let the impartial Readers judge.

But be it as it will, and let it be granted that such Decrees were made by *Urbane* 1. and *Lucius* 1. take in also *Pius* 2. (as some do) whose saith Pope 1200 years after; and let all be admitted which they have decreed, for enjoying of *Lands* by *Bishops*, &c. yet the very best Title to Lands derived thence, is onely from *Popes* of *Rome*. If it be said, those Decrees

crees are not produced to prove the Titles, but onely to shew, *de facto*, that there were then such Lands belonging to the Church, which, those Popes took care, should not be alienated : It is answered, that if any such Lands belonged to the Church, and it cannot be shewed who gave them, the Title can be derived no higher than from those that first make mention of them. As for the Apostles times, the Scripture declares plainly what then was done with Lands; they were sold, and the money given to the Church. This was consonant to the *Levitical Rules* given by God, touching *Lands sanctified to the Lord*; which were not to be kept by the Priests, but sold, and put into money, at every *Jubilee*. But, the Popes taking upon them to be wiser than God, were of another opinion; and so are, it seems, too many among our selves, upon the same account.

Howbeit, he that shall trace the best Ecclesiastical Histories, shall finde that the Clergy of the Church were endowed with no Lands before *Constantine the Great*; nor then, especially in his beginning, (unless, with some Houses, and Gardens;) nor afterwards, in his greatest advancements of Bishops, save onely with the profits of Lands. Indeed, in the supposititious *Donation of Constantine*. (forged in some Popish shop) it is said, that upon the Churches which *Constantine* built to the honour of the blessed Apostles, *Peter* and *Paul*, *possessionum pradia contulit*, he conferred the spoils of possessions, or Lands, (gotten perhaps

Titles in war, for *pradium* referres properly to such) Chap. 4
 were yet this, in the language of *Civilians*, especial-
 urch, ly of those times, did not extend to the Lands
 or be themselves, but onely to the profits raised out
 such of them.

By some (*) *Eusebius* is quoted (*k*), as **St. Hen.*
 setting down the Imperial Edict of *Constan-* *Spelm. p. 6.*
tine, and *Licinius*, by which they would prove *k Euseb.*
that the Church of Rome had begun to retain *l. 10. c. 5.*
Lands, &c. even before *Constantine* was sole
 Emperour; because they made a Decree for
 restoring such things and possessions as had
 been taken from the Church in former times.
 But, let it be considered, that in the Edicts
 quoted by *Eusebius*, no Lands are mentioned,
 unlesse *Gardens and Houses* (1), which will *l. Eire a-*
 not suffice them, who are so zealous for *nos, a-*
 Church-Lands, appropriated to Cathedral *unias.*
 Clergy men: The Edict speaks onely of things
 pertaining to the whole Catholike Church of
 Christians in common: which must be meant
 of the whole Society of believers. But, to
 let all men see how unprobable it is, that the
 Clergy should possesse Lands before *Constan-*
tine, it is to be noted that he was the first
 Christian Emperour, before whose reign the
 Church was under fiery persecutions. There-
 fore not in a case for their Clergy men to en-
 joy settled maintenance by *Lands*, or *Tishes*.

And even in the beginning of his reigne,
 (he having been born and for the most part
 bred in *England*, and so, unknown at *Rome*)
 not onely inferior Christians there, but even
 that

Chap. 4. that Bishop, or Pope *Silvester* himself, and his associates in the Ministry, when *Constantine* first came to *Rome*, and took on him the Empire, (not knowing his temper) were so much afraid of him, that they, for safety of their lives, hid themselves in the *Hill Soracte*, (afterwards, upon that occasion, called *Monte di Sylvestro*) about twenty miles from *Rome*, untill they were better satisfied touching *Constantine's* affection to the Christian Religion; if that *Donation of Constantine* be worthy of any Credit.

But, to leave what was done at *Rome*; and, * *Vide, S. R.* in other Countreys (*); it behoves us to en-
 I. *Pax Li-*quire how things of this nature were carried
 cia. in *England*. And, as to this, it is pleaded (n);
 n Church- that *Lucius* (King in some part of *Britain*) be-
 Lands, &c. ing converted to the knowledge and faith of
 pag. 1. *Christ*, about the year 176. (which is a mistake)
 rooted out the Idol Priests; and, taking away
 their possessions and Territories, he gave them to
 the Churches of the believing Christians, which
 he endowed with addition of more Lands, and
 larger Revenues. For this, two Learned Au-
 thors, *Antiq. Brit. and Armican*: perhaps he
 meant *Armacanus*; that is, *Mathew Parker*,
 after, Archbishop of *Cant.* and, *Dr. Usher*, af-
 terwards Archbishop of *Armagh* in *Ireland*,
 are alleaged: But, he that voucheth them, was
 so wise as not to referre his Readers to the
 particular places in those Authors, wherein
 they may finde what he alleageth out of them.
 So that this (without offence to his Lord-
 ship) might be passed over without answer.

Never-

Nevertheless, that it may not be thought Chap. 4.
 unanswerable, he may be pleased to know,
 that however *Antiquit. Britan.* be a very
 good book, (not now to be had, because out
 of print) yet what is quoted out of him, is not
 clearly, (if at all) to be found in our ancient
 Authors. It is indeed acknowledged, that
Eleutherius, then Bishop of Rome (at the re-
 quest of *Lucius*) sent him two Godly Mini-
 sters, *Faganus* and *Damianus* (as some call
 them) who converted the *Britaines* to the
 faith (o), although *Lucius* himself was before
 a Christian, as appears by his Letter to *Elen-
 therius*. Then, were the Idol Temples, and
 all other monuments of Gentilisme destroyed;
 and the people brought to serve one God, who
 before served many. There were then in *Brit-
 tain* 28 Head-Priests called *Flamines*; and
 three Arch-Priests over them, called *Arch-
 flamines*. Instead of the former, they made 28
Bishops; and, in room of the other three, they
 made three *Archbishops*, who had their seats
 in *London*, *York*, and *Glamorgan*. But, not
 one word, of endowing them, or their Churches
 with the Lands of the *Flamines* or *Arch-
 flamines*, either in *Baronius* himself, our own
Bede, or any other Classical Author yet occur-
 ring.

o Fox. Alth
 & Mon.
 Part. I. fol.
 96. Edit.
 1610.

Wherefore, untill He that tells this story,
 of settling those Lands on the Church, shall
 make it out more punctually, Let it not be
 offensive, to passe over that tale, with the
 words of the *Magdiburgenses* (p), *Celebra-*
tur autem imprimis Propagatio in Britannia sub
Elen-

p cent. 2.
 cap. 2.

Chap. 4. *Eleutherio facta: de qua tamen pleraque tam dubiè & obscure recitantur, ut propemodum tota hac historia de fide sua labores.* "The propagation of the Christian Religion in Britain under Eleutherius, is much applauded and cried up. Concerning which notwithstanding, things are for the most part so doubtfully and obscurely related, that almost the whole history thereof labours under much uncertainty of the truth of it.

And albeit, it be said that Britain continued in the faith above 200 years after *Lucius*, even untill the Saxons (then, Heathens and Infidels) came in: and, by their power destroyed the Christian Religion, untill *Augustine* the Monk came hither, and converted sundry of the Kings of the then Heptarchy, and reduced their people to the faith again: yet in all that time, no mention is made in any History of credit, of Lands given to, and settled upon Bishops and Cathedral men, in this Nation.

q Flor. Histor. ad ann. 186. &c.

I confesse *Matthew of Westminster* (q), tells us, that *Lucius* conferred upon, and, by Charters, confirmed to Churches, and Ecclesiastical men, sundry possessions and territories, and granted such privileges to Churches and Church-yards, that whoever, having offended, and fled to them, was to be freed from punishment. But what Churches, Clergy men, and Territories they were, is not set down: and it is strange, that Monk should know more of *Lucius* his endowment, than *Bede*, or others that had written of *Lucius* long before. I therefore think, this

this is one of those corruptions of which he Chap: 4.
 that printed his *Flores, Anno 1570*, gives warning in his Preface; and touching him and *Matthew Paris* too, he there passeth this censure: *Barbaros esse fateor, nec renuo si dicas, varie corruptos*: 'They are barbarous, (in language) I confess, saith he: nor will I oppose, if you say, They are variously corrupted (in matter.) And, give what credit you will to that Story, yet 'tis plain the Counsel came from *Rome* for the doing of it. *Lucius* did, as the *Romish* Instructors taught.

The Original then (and by consequent the Title) of the Lands of Bishops, and the rest of the Cathedral men in *England*, cannot, of certainty, derive higher than the abused Magnificence of Princes & other great men, nuzled in ignorance and superstition, both before and since the Conquest, in the height of Popery: whereby *Monasteries* first, and afterwards *Cathedrals*, have been endowed with large portions of Lands and other Revenues, under the specious (but cheating) pretence of giving them to *God and Holy Church*; even to the impoverishing not onely of particular Families, but of the Kingdom.

Nor were they given indeed to maintain a preaching-Ministry, (for which, all Church-maintenance was at first appointed by God, even when the dayly Sacrifices were on foot,) to instruct the people in the true knowledge of Christ his and Gospel, and to quicken them to the power of godliness, (for, these, most of those men who held those Lands, ever perse-

Chap. 4. cuted ;) but, for superstitious ends and uses : and imployed (for the most part) to maintain the Luxury, Pomp, State, and other Excesses and Lusts of Abby-Lubbers, and other Cathedral Drones and Belly-Gods, to the great dishonour of God, and scandal of the Gospel.

And it is to be observed, that (if any credit be given to Histories) the greatest and richest endowments of Cathedrals and Monasteries with Lands in this Nation, were made when Satans Throne was most exalted, and his Kingdom in greatest peace, even in times of thickest Popish darkness ; when even Kings themselves, and their Nobles, scarce knew one letter in a book, nor the rest understood any thing of Christ or Religion, otherwise than so many Parrets ; no, nor of the very municipal Laws of the Nation, further than what the Prelatical Clergie (whose interest it was to keep all in grossest ignorance) though fit, for their own gain and advantage to communicate.

The Clergie, being sole Masters of the times, and holding all the chief Offices and Places of Power and Judicature in the State as well as in the Church, did what they list both with King and People. And with their familiar spirit of excommunication (the great *Mormo* and Scare-crow of the Laity, with which they dayly frightened them) they could and did conjure into their own Churches, to fill their own coffers, what quantities of *Lands*, or ought else they pleased.

But in nothing did they exercise so much Chap. 4.

Tyranny, as in the matters of the Souls and Consciences of men, which they made perfect Vassals to their Lusts, according to what was prophesied by their greatly pretended Patron Saint *Peter* (r), who abhorred their wickedness, and therefore gave warning of their wiles and tricks, whereby, *through covetousness, with feigned words*, they would *make merchandise* of the people. This they did, not onely as they of old, who *swallowed up the needy*, in regard of their outward estates, and then, *buying them for silver, and the needy for shoes* (r); but, as *Amos 8.* being the Merchants of *Babylon*, whose Merchandise is not of *beasts, sheep, horses and chariots*, or of the *bodies of slaves* alone, but of the *souls of men* (r). *Rev. 18.*

And as they held the people in ignorance, the more easily to prey upon them; so they purposely winked at the wickedness of Princes, great ones, and rich men, their adulteries, rapes, murders, and other villanies (so they did not fall upon the Clergy) till they had, by these means, got them most sure within their nets, and found it most seasonable to cut large gobbets out of their Estates. Then indeed, they would fall foul upon them, with a witness; terrifying them with unsufferable torments; first in Purgatory, and afterwards in Hell, unless they redeemed themselves, and expiated their sins, and that speedily, by giving such large portions of their best Lands, as those Harpies pleased. Which if they did, they were not onely presently absolved, but declared me-

Chap. 4. ritorious: especially, if they could be drawn to give so large a portion to the Church, as might also maintain Masses, &c. for delivering the Souls of their Ancestors, and others out of their imaginary Purgatory fire. By this they were told they merited Heaven; but, without this, they must expect nothing but Hell for their portion. Strong Arguments to weak and silly Souls, when they are fallen into the pit and pangs of the King of Terrours, and abused by *blind guides*.

Which *Donations* they were made to believe were now vested in God himself, and in such tutelary Saint or Saints as they taught them to devote them unto: that they were *sacred*, and highly accepted of God, (because indeed they kept the Kitchens of those Cheaters warm) whereupon they needed not to doubt of the pardon of all their sins, and the release of the Souls of their Ancestors, and of whom else they pleased to nominate, out of Purgatory.

All which *Charters* so granted to Pope, Holy Church, (for the better grace of the business) must begin with the signe of the *Cross*, and *In nomine Domini*; but indeed, to the use of the Devil. Therefore when those his Imps had any mischief of this kind to act, their usual introduction was, *In the Name of God, Amen*. This in *Benedictions* of such deluded Vassals, in execrations when they angered those hellish ghostly Fathers, and in all *Donations* made unto them, was so common and constant, that it grew to a Proverb, *In nomine Domini*
in.

incipit omne malum. When they had a mind Chap. 4.
to fleece, or abuse any man; God himself must
be invocated to become a party to own their
wickedness, and to countenance their avarice,
and cursed practises: even when God was
not, otherwise, in all their thoughts (u), which " Psal. 10. 4
were not but for their covetousness.

Nor can it be imagined that the Donours
of those large gifts, would ever have parted
with them, but as being made to believe by
those Merchants (the Devil's Brokers) to
whom they gave them, that thereby they
made full amends to God for all their sins, and
expiated the guilt of some hainous and outra-
gious wickedness by them before committed;
the guilt of which, the very blood of Christ
was not sufficient alone to wash off. And,
that hereby the Priests and Monks who were
to enjoy those Lands, would take pains by
their Popish Devotions, to deliver out of
Purgatory the Souls of their Ancestors and
Friends; or, to curse their Enemies with *Bells,*
Book and Candle, as the manner then was, the
more to please (or rather fool) the ignorant
Founders of such Endowments, as any intel-
ligent man vers'd in the Histories of those
times, cannot but know.

And lest this should be thought a slander,
take some short proof thereof, both in the *Do-*
ctrines and *Decrees* of *Rome*, and in the *Pra-*
ctise thereof accordingly.

First, the very body of the *Canon Law*,
(which is enough to silence for ever all such as
shall allege any of those Popish *Canons* or

Chap. 4. *Laws* touching this subject, to make good their out-cries against sale of those Lands) thus declareth and decreeth, *Ille qui donat, pro redemptione Anima sua, non pro commodo sacerdotis offerre probatur* (w). He that gives ought to the Church, doth it for the redemption of his Soul, not for the Priests gain. And this shooing-horn was held out, the more easily to draw on mens Estates upon their own Churches; which being published as a Law or Truth to be believed upon pain of Damnation, who durst to make doubt of the truth of it, or to scruple the bestowing of the greatest gifts he can possibly reach unto? For, if a man will give *skin for skin, and all that he hath for his life*, (as once the Devil told God x) much more will he stretch himself for his Soul, because it *costeth more to redeem Souls* (y). And yet when all this is done, this is not given unto God, but to their greatest Enemy *Satan*, because it takes a man off from relying wholly upon the death and satisfaction of Christ, (albeit *there is no salvation in any other* z) and to trust in his own merits; yea, in that work which God neither requireth nor will accept; and so, in his conceit, to become his own Saviour; which is a *Doctrine* of Devils. And it had been all one, to have given the same gifts to any of the gods of the Heathens, which are Devils.

w Decret.
par. 2.
Caus. 12.
4. 3. c. Pontifices.

x Job 2. 4.

y Psal. 49. 8

z Act. 3. 12

Secondly, take also some instances answerable to the former Doctrine, which are extant in several Authors of credit.

First, in the *Saxons* times, after *Ina* King of the

the West-Saxons had built St. *Andrews* a Chap. 4. Church in *Wells* about the year 704 (a), and dedicated the same unto St. *Andrew*, not to be a *Cathedral*, but *Collegiate* Church for Monks. There was no Bishop there till about 200 years after. Howbeit, in the year

a Godwin
of Bishops,
pag. 357.

766, *Kenulphe*, succeeding *Ina*, and others in that Kingdom of the *West-Saxons*, gave to the Monks of that Church all the Lands adjacent, in and about *Wells* and *Mendip*, as by his Charter appeareth. In which, he setteth down the Grounds and Motives which induced him to it, in these words (b):

b Monastic.
Anglican.

Quapropter Ego Ccenulphus Occi Saxonum Rex, aliquam terra partem, pro amore Dei, & pro expiatione delictorum meorum, nec non (quod verbo dolendum est) pro aliqua vexatione inimicorum nostrorum Cornubia gentis: 'Wherefore, saith he, I Kenulp of the West-Saxons King, for the love I bear to God, and for the expiation of my sins, and also (which is to be lamented) for some vexation of my enemies of the Cornish people, do give, &c. That is, to hire the Monks of Wells to curse the Cornish men, which he could not (it seems) subdue by his sword.

And verily he had need to do somewhat more than ordinary for expiating his sins, according as the Doctrine of those times (wherein the all-sufficiency of Christs full satisfaction was concealed) ran. For, albeit in his younger times he carried himself fairly as to the matter of his Government of his subjects, (for want whereof his Predecessour *Sigebert*,

Chap. 4. vvas depofed, and he taken into his room; yet, as for his more private converfation, he vvas a man fo addicted to Adultery, that his vvife, not able to bear it, left him, and betook her felf to a *Nunnery*, vvhere fhe ended her days: and he after this large Donation could not be drawn off from that fin of uncleannefs, but rather grew more bold to continue it, which in the end coft him his life.

For whereas in the 26 of his reign, he beftowed that Charter upon the Monks of *Wells*, yet he ftill haunted a Concubine or Strumpet (fome call her a Noble Perfon) at a place called by fome *Meriton*, by other *Merton*, or *Marton*, or *Mariton*, within his own Dominions; and there, in the 30 year of his reign, was flain: not by the *Cornifh* that were in rebellion, (as was lately conjectured, upon the account of *Simon Dunelmensis*, quored by *Speed* and *Isaacfon*; which *Simon* being confulted, fetterh not down the names of the Murderers) but, as *Johannes de Brompton*, *Mathew of Weftminfter* (d), *Henry of Huntington* (e), *Roger de Hoveden* (f), *Ethelwerd* (g), *Polidore Virgil* (h), and fundry others do all affirm, by one *Kineard*, brother to the depofed King *Sigbert*. The occafion, this:

d Ad An.

280.

e Historiar.

li. 4.

f. Annaal.

par. 1.

g Li. 2. c. 18

h Hift. 1. g.

Sigbert being depofed for tyranny, and after flain by a Servant of his whom *Sigbert* had put to death for admonifhing and fupplicating of him to rule more mildly: he had a brother named *Kineard*, an accomplifht Gentle-

tleman, who grew very popular; which put *Kenulph* (who had no issue of his own) into jealousy that *Kineard* aspired the Kingdom: for this cause he banished *Kineard*, who at the present withdrew; but, studied revenge. Wherefore shortly after, he gathered a company of wild deboshed fellows about him, and secretly returned; lying in Woods and Caves to prevent discovery; yet so, that he had his spies abroad to mark all the walks of *Kenulph*, and to take opportunity when offered. Now it was too notoriously known, that *Kenulph* frequented a person of quality at *Merton* or *Mariton*, whom he familiarly used as his Whore. Upon a certain time coming to her, *Kineard* had notice, and beset the house. *Kenulph* first used all fair means to perswade their departure: but that not taking effect, the King rushed out upon *Kineard*, and sorely wounded him: but, *Kineard* and his company being too hard for him, slew him, and those few *Kenulph* had then with him, all save one, who was left for dead also. Next morning, upon notice of this murder of the King, his servants being then near, gathered together, and set upon *Kineard* and his company, and would give them no quarter, but slew him, and every man of his party.

This is the truth of that sad accident which befel *Kenulph*, and this was his end. Thus we see how divine the endowment of the Church of *Wells* was, which was not made a *Cathedral* until in the year 905. *Plegmund*, Archbishop
of

Chap. 4. of *Canterbury*, (who by command from King *Edward*, surnamed the *Elder*, consecrated seven Bishops in one day, where none had sate before) among which, he consecrated *Adelme* Abbot of *Glanstenbury*, the first Bishop of *Wells*: by which it became a Bishops *See*. But it is remarkable, that he who gave Lands partly for cursing of others, fell himself under the saddest curse, to be butchered in that very place where he had so often formerly, and then also, committed adultery, by the hand of him whom he thought he had made sure enough. This by the way to rectifie the former conjecture mentioned in the late printed *Case* touching the buying of *Bishops Lands*, built upon the authority of *Speed* and *Isaacson* in this particular.

*Magna
Charta.*

Take another instance in *Henry* the Third. He being pressed by his Nobles, Bishops, and others to pass the *Great Charter*, so highly magnified and cryed up, especially by the prelatial Clergie, in the ninth year of his reign, (himself being then but eighteen years old) he was hookt in, to grant it thus: *Henry by the Grace of God, King of England, &c. To all Archbishops, Bishops, &c. Know ye, that we, to the honour of God, and for the salvation of the souls of our Progenitors and Successors, Kings of England, &c. have given and granted, &c.* To which, all Bishops and many Abbots, as well as others, were of Counsel, and Witnesses. By which it appears, that this *Charter* was granted chiefly to merit *salvation*. So as, how ever the honour of *God* be mentioned, yet the disho-
nour

nour of God and of Christ lay at the bottom Chap. 4.
of that grant, in reference to the foundation
laid in the heart of that King by the Prelates.
The like instance may be given in *Edward* the
third, and many more: but because there will
be occasion to mention some of them, upon
another account, they are forborn here.

That this was the High-way wherein the
degenerate Clergy of *England*, long before (as
well as since) the Conquest, constantly tra-
vailed, take one proof (for all) out of *Gildas*
(surnamed *Sapiens*) who being a Britain *Pres-
byter*, sharply declaimeth against the ignorance
coverousnesse, idlenesse, voracity, thievery of
the Clergy of his time, which were said to be
continued from the time of King *Lucius*, in
Britain, now *England*; for which God had
brought many sad judgements upon the *Brit-
tains* by the *Saxons*, who, (at their first coming
especially) being Idolaters, continually op-
pressed, and tyrannized over the *Britaines*.
Yet nothing would prevail to reduce the
Clergy to duty. Whether he continued till
Austin the Monk came into *England*, some
doubt, others deny. Yet *Oranus* (i), and others; i Nomen-
affirm it; of which see more in *Vossius* (k). *plat. l. 1. G.*
That therefore, in the before mentioned *Case*, k De Hist.
touching the Clergies sucking in their princi- *Latin. l. 2.*
ples from *Austin* the Monk, is here omitted, *cap. 21.*
(and was for before Mr. *Fuller's* Note upon it,
came to hand,) by reason of the variety of opi-
nions touching the time of *Gildas*; who lived
in the fifth (not sixth) Century: and the time
of his death is yet uncertain.

But

But, it is on all hands agreed, that he sharply rebuked the great exorbitancies and abuses of the Clergy of his time. Those abuses were, some of them, such as concerne the businesse in hand; which, he thus repro-

*l In Ecole- veth (1). Britannia habet sacerdotes, sed non
fiat. Ordin. nullos insipientes; quamplurimos ministros, sed
acr. Cor- multos impudentes: Clericos, sed quosdam ra-
rept. ptores, subdolos: Pastores, ut dicuntur, sed oc-
Biblioth. cisioni animarum lupos paratos; quippe non com-
Patrum. modo plebis providentes, sed proprii plenitudi-
Secul. 5. nem ventris quarentes: Ecclesia Domos habent-
part 3. tes, sed eas turpis lucri gratia adeuntes, &c.*

" Britain, saith he, hath Priests; but, some of

* Therefore that is a tale, which, *Pontificians* averre, viz. that Christianity was quite banished out of England after *Lucius*, till *Austin* the Monk, although it may be true of some parts of England, as of *Kent*, &c.

" them fools: very many Mini-

" sters (*); but many of them,

" impudent: Clergy-men; but,

" Thieves and Cheaters: *Pa-*

" *stors*, as they are called; but,

" in truth, Wolves, ready to

" slay and flay the souls of the

" sheep: for that they seek not

" the good of the people, but

" the crampling of their own guts: they have

" the houses of the Church (that is, where

" the Church met for vvorship) but, resort to

" them for filthy Lucre's sake onely.

And, that he might let all men see, that he excepted not the *Bishops* of those times, nor such as sate chief among the Clergy; nay, nor the Pope himself; he addeth, *Sedem Petri Apostoli, immundis pedibus usurpantes, sed merito cupiditatis in Jude Traditoris Pestilentia Cathedram desidentes.* They usurp the Apostle *Pe-*

ters seat with unclean feet; but, through Chap. 4.
their covetousnesse, they rather sit indeed in
Judas his Chaire of Pestilence. This, with
much more, that old *Britain* so highly ac-
counted of, layeth to the charge of the *British*
Clergy of those times, which future ages did
not make better.

For, since the *Norman Conquest*, the Pre-
lates & Monks have been higher than before,
and grasped more Lands into their hands (up-
on the same account of redeeming Souls) than
all their Predecessors. Insomuch as the Ca-
thedral Clergy, Chauntries, Monks, and Nuns,
being not a fortieth (nay, not an hundredth)
part of the people, had, by these wyles and de-
vices, gotten (as some intelligent men have
computed) a third part (if not two) of all
the best Lands in the Nation, at what time
Henry the eighth began to seize the lesser
Monasteries. All which great estates were ob-
tained upon that rotten ground, of *meriting*
salvation by giving such large gifts to the
Church: which rotten Doctrine they conti-
nually inculcated upon the people, to draw
them on to such Donations.

Yea, so zealously bent were the Prelates
of those times to augment the Churches Pa-
trimony; that, by a Provincial Constitution (*), * *Lindw.*
made by *Richard Witherhead* (alias *Wether-* l. 5. tit. de
head) Archbishop of *Canterbury*, in the reign *penit. &*
of *Hen. 3.* it was forbidden to all Physicians *remiss. cap.*
to administer any Physick to any Patient (be *cum anima.*
his extremity and danger never so great) un-
der pain of suspension *ab ingressu Ecclesie*, till
the

Chap. 4. the Patient were shrived by a Priest. The pretence was, to visite and physick his Soul first. But, the meaning was, to get a collop out of his Estate to some Church, Chappel, or Monastery, to increase their own Revenues: Upon which, the Priest absolved him, but not before. And this was that which occasioned the multiplying of *Chaunderies, Obits, &c.* and afterwards, the abrogating of them, in the reigne of *Edw. 6.* to whom they were given by Parliament, 1. *Edw. 6. 14.*

Nor were the Kings and Parliaments (especially after King *John*) so hood-winkt or cowed, as not to see and take notice of, and provide against those excessive gifts of Lands to the Church; that is, to the Clergy, whereby they greatly robbed the Commonwealth, and ruined many particular families.

Therefore, the same *Henry* the third, when he first granted the *Great Charter*, and therein confirmed the *Right and Liberties*, (which doth not necessarily, if at all, import *Lands*) of *holy Church* (as that Idolized Crew was then termed) did, in the same *Charter*, enact (*m*);

“That it should not be lawfull from thenceforth to any, to give his Lands to any Religious house, and to take the same again to hold of the same

* Because Lands so held were freed from all Tithes, Taxes, and Eschetes; Therefore many did so convey Lands, to couzen the King, and other chief Lords,

“house (*). Nor shall it be lawfull to any house of Religion to take the Lands of any, and to Lease the same to him of whom he received it. And that, if any from thenceforth gave his Lands

“lands to any religious houses, and thereupon
 “be convicted, the gift shall be utterly void, and
 “the land accrew to the Lord of the fee. Here
 then was a Law against voluntary gifts of
 Lands, and a liberty granted to others, to
 recover them back, notwithstanding their
 pretended giving them unto God: whereby it
 appears, that some sorts of giving, and accept-
 ing and receiving *Lands* for the Church, is a
 fault, not a duty; and, deserves a punishment,
 not a reward.

Next after *Hen. 3.* succeeded his son, *Edw. 1.*
 vvho, in the 25th of his reign, confirmed the
Great Charter; and, in it, the clause, or Chap-
 ter, last mentioned. But, before he did that,
 even in the seventh of his reigne, he made a
 strict Law against *Mortmain* (by advice of
 the Prelates as vvell as others,) to make all
 gifts and purchases of Lands (vvithout special
 Licence from the King) to be null and void;
 and, the Lands to be forfeited to the chief
 Lord, if he took the advantage within one
 year and an half; or else to the King, in case
 the chief Lord neglected the time therein ap-
 pointed and limited.

It is true, that *Edward 3.* a popular Prince,
 at the importunity of the Clergy (of whom
 he vvvas necessitated to make much use in his
 vvars) did somewhat mitigate the rigour of
 former Statutes of *Mortmain*; who, in case
 of breach thereof, enacted, that instead of
 forfeitures, parties offending should onely
 pay a *Fine*. Howbeit, in 15 *Rich. 2.* that Sta-
 tute *De Religiosis*, 7. *Edw. 1.* vvvas not onely
 revived

Chap. 4. revived, and set on foot again; but, made to extend to all Lands privately given for *Church-yards*, or *Glebes* of *Vicars*, &c. or to *Guilds*, *Fraternities*, and *Corporations*, vvithout special Licence from the King. And that if any, before this last Statute, had bought, procured, or received such Lands, without Licence, they should either procure his Licence, or sell those Lands away for other uses, by the next *Michaelmas* following; else the Lands to be forfeited, and seisure to be made of them, as in the aforesaid Statute of 7. *Edw. 1. de Religiosis* vvvas provided.

By all vvhich it is manifest, that neither Kings nor Parliament, no not Bishops themselves in Parliament, ever took all Lands given to Churches upon mens private devotions and liberality, to be *sacred*, or, *holy to the Lord*, and thereby to become his propriety; or, so much as lawfull for the Church to hold them, vvithout special Licence from the King, and other chief Lord, or Lords of the fee. Yea, these Acts of Parliament declare plainly, that such voluntary giving of Lands, was in it self against Law. For there being required a special Licence for legitimating thereof, it is manifest that the thing could not be done, vvithout dispensing vvith the Laws made against it. The unlawfulnessse whereof is declared to be, that the King and Kingdom was thereby defrauded of such taxes and payments (when the Lands once were in *Mortmain*, or a dead hand, to wit, the Church) as formerly had been raised out of them, for defence

fence of the Realm; and the chief Lords of Chap. 4.
the Fee, were deprived of their chief Rents,
Services, Reliefs, Fines of Alienation, Eschetes,
&c. which being an appaerent wrong to all,
occasioned the making of those Laws against
that lawlesse Liberty.

And yet our Advocates for Church-Lands,
will needs contend, that every thing volun-
tarily given to Holy Church (be it for what
use it will, Superstitious, or not) must needs
by that very Donation instantly become so
sacred, that it may by no means be alienated;
and, that God accepts it for his own, although
given contrary to the Laws of those men, to
whose *Ordinances* (even to every one of them
(not contrary to Gods) we are commanded to
submit, for the Lords sake; whether it be to
the King, as *supreme*; or unto *Governors, as unto*
them that are sent by him, &c (n).

n 1 Pet. 2.

Thus we see what, in truth, the *Title* of the 13, 14.
Lands of Bishops and other Cathedral men in
England, was; whence derived, upon what
grounds, and in what manner procured, and
enjoyed: which sufficiently argues them (even
in construction of Scripture, as well as of hu-
mane Laws) to be farre from being *sacred*, or
Holy to the Lord, so as, upon any account
whatsoever to intitle him unto them. The ne-
cessary Corollary, or inference whereof is this: Corolla-
That therefore, *The aliening, selling, purchasing* ry.
of these Lands for any common use, after the
Offices of Bishops and the rest, are wholly abo-
lished, neither is, nor can be Sacrilege, or other-
wise sinfull or lawfull. But this is the subject of
the next Chapter.

C H A P. V.

It is neither Sacrilege, nor otherwise sinful, to aliene, buy, or purchase such Cathedral Lands to any common use, after the Bishops and Cathedral men, and their Offices, as such, are wholly taken away.

o Pag. 25.
his 3. and
4. Proposi-
tions.

p Church-
Lands not
to be sold,
pag. 14, 15.
q Plato de
Legib. dial.
9.
r Leg. 12.
Tabul.

THis is evident from the premisses, and is here added by way of *Antithesis*, to obviate those Two confident Assertions of the *Letter Answerer* (o) before mentioned, viz. *That to invade those things (given to the Church) be they moveable, or immovable, is expressly the sin of Sacrilege.* And, *That this sin is not onely against Gods positive Law, but plainly against his Moral Law.* To charge a man with *Sacrilege*, is the highest accusation, for the greatest crime, next to the unpardonable sin against the Holy Ghost: for it is ranged with *Idolatry* it self, *Rom. 2. 22.* yea, in the judgement of some (quoted by this *Answerer*; Second, and Repetitioner) (p); it is a worse sin: a sin that is not onely a breach of the positive written Law, but against the very nature of Law also. The very Heathens have made it death (q) and such a death as is due to a *Parricide*, or murderer of his father (r). This goes very high indeed. The evidence to prove it had need therefore to be very clear, full, impregnable and manifest by express Scripture;

Scripture;

Scripture; not strained consequences drawn Chap. 5.
thence by wit, or by the authority or suffrage of men; as thinking to make good by number of voyces, what cannot be made out by strength of Scripture. This were no better than the banishing of *Aristides* from *Athens*, by the Law of *Ostracism*, as being very likely to be guilty of Tyranny; which instead of proving, they made good his banishment by the votes of 6000 Citizens (f). Plutarch in Arist.

Now, it will concern these Accusers to make good their charge upon pain of incurring the same punishment which is due to a *Sacrilegist*. They may do well to remember what Law the Lord once made touching false witnesses bearing against ones neighbour (t), Deut. 19: 16, &c.
The Judges were to make diligent inquisition; and if the witness were a false witness, and had testified falsely against his brother, then should they do unto him, as he had thought to have done unto his brother: no eye might pity him: but life should goe for life, eye for eye, tooth for tooth, hand for hand, foot for foot. It is well for this pair of bold Censurers, that this Judicial obtains not in England. Yet let them know, that the equity of it is perpetual, and the justice of God will (without repentance) find them out. By our Laws, mens Pens as well as their Tongues, are not permitted to be lawless: but if they fasten any reproach, or charge a man with that which may turn to his real damage, and cannot prove it, he may have his Action, and recover good damages at Law. And why? But because such reproachings

Chap. 5. things and accusings are against Law. So (let them be sure) is this foul imputation and charge of *Sacrilege*; because the Laws have determined such Lands to be sold, and that the Purchasers shall have the Protection of the Parliament and of the Laws (*u*). It will therefore do them no hurt to have this *Item* given them; that, for the future, they either bring stronger Arguments to prove their charge of such a crime, or temper their Tongues and Pens better than hitherto they have done.

*u Ordin. of
Parl. Nov.
16. 1656.*

For mark, vvhat proofs they bring to make good this to be expressly *Sacrilege*. One of them tells you a fair tale out of the *Schools* and *Casuits*, *Aquinas*, &c. which is all the Argument he brings (unless the Etymologie of the word, and *Nebuchadnezzar's* abusing the holy Vessels, and the *burning of the Temple*:) but, out of an expresse text of Scripture, declaring and dooming the Buyers of *Bishops Lands*, expressly to be *Sacrilege*, *nè s' quidem*, not one syllable. And can there be such a sin, unless he produce some Scripture that forbids and condemns it? Is not this to become *ἡ ἀποκατάστασις τοῦ ἀδικῶν*; the *Accuser of the Brethren*? Nor, are the proofs of the other, as to this point, any better, but quotations of Scriptures, none of which do expresse *Lands*; but, he seeks by Circumlocutions, Interrogations, confident Assertions, to fasten such a sense upon them, sometime contrary, always incongruous and aliene from the genuine sense of them. As by occasion hath been in great part already de-

demonstrated ; and, further may be, in this or Chap. 5. the next Chapter.

In his other Proposition he affirms, that this aliening of such Lands, is against the *Positive* and *Moral Law of God* ; because all *Nations*, even *Pagans*, hold *Sacrilege* for a sin : and, for his better grace, he voucheth (but cites not the place, whereby it might be examined) *Lactantius*, to prove that in all Religions God ever revenged this sin. But doth he tell us out of *Lactantius*, or *Scripture*, that selling or buying *Cathedral Lands* is that sin ? Yes : he voucheth *Mat. 3. 8. Will a man rob God ? yet ye have robbed me.* But, wherein ? Here he is silent : for it makes not for his purpose, but rather against him. What was it indeed ? God himself, tells them ; (not, in *Lands*, but) in *Tithes and Offerings*. And this is granted him. And what gets he by it ? but, the countenance of some *Scripture-words* against the sense. Lo ! how manfully he hath made good his charge ! These be his grounds upon which he canvasseth the *Epistoler* ; but, his grounds falling to the ground, it is to no purpose to blot paper in examining all the particulars he hath built upon it. And so, farewell, Mr. D. and his second too, for a while.

That (notwithstanding all objected, or alleged by them) to *sell*, or *buy* such *Lands*, is no *Sacrilege*, appears :

First, by that very *Scripture, Lev. 27.* (so often alleged to the contrary) if rightly understood. For, if it were lawful to *make a singular vow*, of a *person, a beast, an house, or some part of*

Chap. 5. *the field of his possessions*; and, (after such sanctifying of it to the Lord) to redeem or buy it back again for common uses: then the bare Dedication, giving, or consecrating of a thing unto God, doth not, *eo ipso*, make the redeeming, selling or buying thereof, for any use, to be Sacrilege; unless, where God himself hath expressly forbidden such redemption, sale or purchase. But, in divers cases, and particularly in the cases of *Houses* and *Lands*, God allowed a redemption and sale. So as, the buying of them back, for private uses; after the sanctifying of them to the Lord, were done within the time allotted by God for the doing of it, as hath been before more largely opened. Therefore, to sell or buy Cathedral Lands, is no Sacrilege, nor any way sinful, in the case before propounded.

It is true, that where God hath laid an express prohibition against redeeming or buying, it is Sacrilege to redeem or buy. As for example: If a man voluntarily offer a *beast*, which God hath allowed for *Sacrifice*, he may not redeem, buy or exchange it; no, nor for a better, *vers. 10.* no more may he redeem or buy, nor so much as sanctify the *firstlings* of *beasts*, whether ox or sheep; because that is so the *Lords*, that a man cannot make of that a *free-will* offering, *vers. 26.* but, if it be any other beast, he may redeem it, and employ it to what use he pleaseth, *vers. 11, 12, 13. & vers. 27.* So in sanctifying an house to be holy to the Lord, it might be redeemed for private use without sin; yea, with Gods allowance, *vers. 14, 15.*
And

And the like allowance was given for redem- Chap. 5.
ming of *fields and Lands* so *sanctified* also:
vers. 16, 17, 18, 19. therefore no *sin* or *Sacri-*
lege to buy it for common use: onely, in two
cases, it was not lawful.

1. If he *redeemed it not* before the *Ju-*
bilee.

2. If he had *sold it unto another man*, v. 20.
then, it was *holy to the Lord as a field DEVO-*
TED; that is, with *Anathema*, or a *Curse* de-
nounced by God: so as none but the *Priests*
might have it for a *possession*, *vers. 21.*

This, God after repeateth, with some en-
largements, *vers. 28.* to let us see, that nothing
devoted, under his curse, might be bought or
sold. Howbeit, all things *consecrated*, are not
so *devoted*. Nothing could be *devoted*; but in
the cases above mentioned: and this was
done, by God himself, not by the men that
gave it. For the fields were not to be given,
with an *Anathema*, denounced by the Donors.
But this was added by God, long after the
Lands were out of their possession, and not
redeemed. And had the Donors first given
it, with a curse, they had made themselves for
ever *incapable of redeeming it*, before the *Ju-*
bilee, which God himself not onely allowed;
but, in a manner, required them to do; that
so there might not be an utter alienation of it
from the Tribe and Family, to which it be-
longed by *Divine Lot*, against which God made
a Law, *Num. 36. 7.*

If it be now objected: But, Church-Lands
were most given, with a *curse* upon all that *g-*

Chap. 5. *liene them* : This is soon answered. There is no warrant or example hereof in Scripture : but, rather of the contrary. Sure we are, there is no warrant for it in the place alleaged, *Lev. 27. 21 & 28.* But, of this more, in the next Chapter.

Next, proceed we from voluntary Consecrations, to things set apart by the people, at Gods own command, for the Priests and *Levites*, which will further clear this Point. It hath been already shewed, that there were by Gods injunction 48 *Cities with Suburbs of Lands* for the Priests and Levites set out by the several Tribes of *Israel*. Here the *Levites* had *houses* to dwell in ; and *lands* for their *Cattle*.

And here, 1. The *Levites* might *sell their houses* without sin : For, when God made a Law for confining a man that *sold a dwelling house in a walled City*, to redeem it within a year, after the sale ; or else, it might not be redeemed till the *Jubilee*, *Lev. 25. 29.* He gave further liberty to the *Levites*, if any of them sold an house, *he might redeem it at any time*, *vers. 32.* And if a man purchased of the *Levites*, then the house that was sold should go out in the year of *Jubilee* : for the houses of the *Levites* are their possession among the children of *Israel*, saith the Lord, *vers. 33.* This plainly implies and proves the lawfulness of buying, and detaining, without sin, even the house of a *Levite*, until it were either redeemed, or returned at the *Jubilee*. Therefore, it is not *Sacrilege* to buy Church-Houses of Bishops and

and other Cathedral men; no more than it Chap. 5. was, in a Levite to sell; and in an ordinary person to buy a *Levites* house, for private use.

2. As for the *Lands* of the Levites: those I mean, which were annexed to those *Cities* (for other they had none) they might not sell them, so long as their Priest-hood lasted. For so, God expressly, *The field of the Suburbs of their Cities, may not be sold, for it is their perpetual possession*, vers. 34. Their houses were their possession; but the *Lands*, their perpetual possession: that is, to remain unalienated, so long as their office remained. Those *Lands* were the same in effect, with our *Parochial Globes*. The *Levites* could not be without them for their cattle and goods; no more can faithful Ministers of the Gospel be without these. And if it were expressly forbidden to aliene those, while the Levites officiated in their places; it will nearly concern all who have aliened, or shall aliene any of these, to consider his warrant from God (and not from man onely) to exempt him from the guilt of *Sacrilege*; or, at least, of a very great sin.

Howbeit, when the *Levitical Priesthood* was ended and taken away, the *Levites* might as lawfully sell their *Lands* as their *Houses*. Else, *Joses* (surnamed *Barnabas*) a *Levite*, of the Country of *Cyprus*, had (in the common opinion of the most) committed *Sacrilege*; for that he (after that Priesthood was changed by Christ) having *Lands*, sold it, and brought the money, and laid it at the Apostles feet (w). Had this been *Sacrilege*, the Apostles would never have

Act. 4. 36, 37.

Chap. 5. have suffered such money to near them, nor would they have accepted of such a gift, although given for supply of the then persecuted Church of Believers. It was therefore no sin in him: but is recorded by the Spirit of God as an eminent act of his Faith, Piety, and Charity.

Now, if it were lawful for him then, to sell, it could not be a sin in others, to buy that, or the like Land, (and other Lands were forbidden to the Levites ^x). when there was an end of the office, for which it was first given: although until then, forbidden by God to be sold. Can it be so hainously sinful to sell, or purchase Cathedral Lands (which no Law of God ever settled upon those Churches) when the Office and Function of those that held them, is wholly taken away? And admit the Office were formerly useful, yet being degenerated so far, as instead of *feeding the flock of God*, as shepherds, they fell to fleece and worry them, as wolves, it was no more offence to remove them, then it was in *Hezekiah* to break in pieces the brazen Serpent that Moses had made (y), by Gods own command, for healing the people stung with fiery Serpents (z), when once it became not onely unuseful, but hurtful unto the people, by their idolizing of it.

If any shall say, That the Land sold by *Jos*es, was not *Levitical*, or *Church-land*, but a *temporal* estate: 1. This appears not from the text: nor, 2. Is it asserted by any *Expo-*

* In loc. *finis*, in terminis. Indeed, *Lyra* * seems to incline some-

somewhat this way, when he saith, It was Land that he had in *Cyprus*, where he was born: the Levites, as he saith, being then dispersed (but not by reason of persecutions at home, as he conceiteth) and that he was to have none in *Judea*, save what is before mentioned, which was wholly Levitical. But this is but his own single opinion, to which we may oppose *Testamentum* (a), who plainly proveth that neither in one place or other, might the Levites enjoy any Lands, but those about their Cities. And being that *Joses* had Lands at *Cyprus*. He was now at *Hierusalem*, which was distant from *Cyprus* 160 miles, saith *Strabo* (b). Little likelihood therefore he should make a journey to *Cyprus*, to make a sale there: and less, that he, at such a time, should get so large a revenue in a strange Country. Wherefore, more probable is that of *Gualter* (c); that *Joses*, being a Levite at that time, and converted unto Christ, then so much hated of that order, (*eo quod Christus illorum questui & honori plurimum derogaret*, upon this very point, that Christ did much derogate from their gain and honour) did shew so much charity and bounty to the Saints at *Hierusalem*, as to sell his Land, and bestow it on them. Which Land, saith *Alexander* the Monk (d), lay in *Judea*, not in *Cyprus*: nor could he, in the opinion, even of *Cornelius & Lupide*, have any in *Judea*, unless *pascuales duntaxat ad alenda pecora, ut patet Num. 35. 3.* onely pastures for feeding cattle, as appears *Num. 35. 3.* which a Jesuite would hardly be perswaded to acknowledge, vvere

a In Lev.

27. 43. 36.

b Com.

Geog. l.

14.

c in Act. 4.

d In Vis.

Barnab.

Chap. 5. were there any colour of probability to the contrary.

But let this Land be where and what it would, it is yet a clear case that it was a Levites patrimony, and a Levite sold it; yet he that bought it, sinned not. Yes, saith one, he that bought it, might sin, although he that sold it, might therein not sin, by reason of the necessity of the times. So *Hezekiah* did lawfully in *delivering the Treasure and Ornaments of the Temple to the King of Assyria* (e), to redeem himself and Gods people from his violence; but, who can suppose the *Assyrian* less than sacrilegious in accepting and detaining them? But if the one might lawfully give, the other could not sin in receiving what was given. At best, it was but doing evil, in giving way to another to sin, that good may come of it. *Hezekiah* cannot be excused from sin, if he do that which makes another to sin. Therefore if *Joses* might lawfully sell, it could not be sinful in the Purchaser to buy. Moreover, the *Shew-bread*, in case of extremity, was given to *David* and his Company, by *Ahimelech* (f); which bread was not common, but hallowed; nor was it lawful for any but the Priests to eat of it. Yet who will say, that *David* sinned therein? In extremities, if God will have mercy and not sacrifice; how can it be unlawful to buy and possess what others are forced to sell? If there were no Buyers, there can be no Sellers. And if there cannot be buying without sin, how can he escape guilt that maketh the sale? In cases of this

e 2 King.
18.15, 16.

f 1 Sam. 21.
6.

this nature, *buying* and *selling* are relatives; one Chap. 5. cannot be without the other: therefore they must both share alike in guilt, if either be faulty; unless the buyer compel the seller by violence to do out of fear, what he would not do without force.

Nor need this seem strange Doctrine, if we consider, either 1. the *Canon-Law*, whence the whole troop of declaimers against such Sacrilege fetch their arguments; or, 2. the practise of *Bishops*, &c. in this Kingdom; or 3. the judgement of the Pope himself declared to *Queen Mary*, touching those Lands which had been aliened from the Church by her Father and Brother.

1. The *Canon-Law* hath sundry strict restraints upon Bishops, and other Ecclesiastical persons, not to give, exchange, or sell, and aliene the revenues of the Church. Yet withall, in one of the strictest of those *Canons*, beginning thus, *Sine exceptione* (g), it is allowed g Decret. 2. Caus. 12. q. 2. c. 52. sine except. to be done by a Bishop; if, for the profit of the Church; and, with advice and consent of his whole Clergy: without which, they make such giving, exchanging, or selling, to be *Sacrilege*. Hence many, not taking notice of the exceptions, run away with the former part; as if it were *Sacrilege* simply and absolutely; though for the profit of the Church, and with consent; as that famous *Martin. de h* Tom. 1. *Aspilcueta* Dr. of *Navarre* (h), sheweth. Com. in Cap. non licet. 12. q. 2. S. 18. Respons. ad serve 7. & 8.

Therefore, he distinguisheth of Ecclesiastical goods, of which some are more solemnly consecrated with a special benediction, and

Chap. 7. serve immediately for Divine Worship. These cannot be profaned (that is, converted to common use) no nor by the Pope himself, while they continue in the form in, and use for which they were consecrated. Other goods are consecrated by a sole donation and disposal of them for the sustentation and maintaining either of men, or things imployed in, and about Divine Worship; without such a solemne benediction. These last may be alienated even by inferior Prelates; as, saith he, not onely moveables, but immoveables, dayly are, so often as upon just cause, and with due solemnity, *venduntur laicis, vel aliis commutantur cum eis*, they be sold to, or exchanged with Laymen: referring to the Canon last mentioned.

But, whitherto tends this? To shew that, in the judgement even of those from whom our sharpest Censurers draw most of their water to drive their Mill, all alienation of Church-Lands is not Sacrilege, upon this simple account that they are voluntarily consecrated and given by men, as holy to God, or Christ: for, if any thing may, in the judgement of the parties interested in the profit, be gained by it, it is no Sacrilege nor sin, but lawfull; and, dayly practised by the greatest sticklers against what they please to call *Sacrilege*. Yea, hence may be inferred further, that whether the alienation be advantageous, or not, to the Church, it is no *Sacrilege*: for, if such dedication and consecration, or hallowing of a thing afterwards stolen, purloyned, or aliened,

aliened, makes such stealth, sale, or purchase to be *Sacrilege*, as all seem to confesse: then, the profit by, and consent to such a sale, cannot extenuate, or take off the sinfulness of it. Therefore however the alienating thereof to disadvantage, and without consent be an injury, (if not done by lawfull authority) yet it can be no *Sacrilege*: unlesse, men will freely acknowledge that they do indeed judge such sales by their own damage, not by the dedications of the Lands unto God.

2. If it be considered what the Bishops have counselled, and joyned in, with the King, Lords and Commons in Parliament, it will appear that the aliening of such Lands is, in their judgements no *Sacrilege*. Witnesse the Acts of Parliament formerly mentioned (i), made and enacted with consent of the Lords spiritual, as they were called. In one of which before cited, they make all Lands given to the Church without Licence, to be forfeited, and to be seised by the chief Lord, or the King, unlesse they procure a Licence, or sell away those Lands, within a short time therein prefixed and limited; which could not be, if it were *Sacrilege*, after they be dedicated and hallowed, to sell, or aliene them. This shews plainly that it was not lawfull to receive or enjoy such Lands without Licence; but, lawfull enough to sell them, if any such they had: therefore no sin, but a lawfull Act, to buy and purchase them for common uses, although (in their language) given to God by men: and so, no *Sacrilege*.

To

Chap. 5. To which may be added, that Bishops Lands especially, were (as before is shewed) declared in open Parliament (the Bishops being present) (*k*) to be given to maintain their State and Magnificence, as *Lords*, with special reference to State-employments. For thus, saith the Statute, was *this Church founded in the State of Prelacy, for that the Kings were wont to have the greatest part of their Counsell, for the safeguard of the Realm, when they had need of the said Prelates and Clerks so advanced.* All which *Civil* employment in State-affairs (for which they were advanced so high) is wholly taken off, by special Act of Parliament, with the Royal assent (*l*): since which time their very Functions and Offices (as themselves and theirs were pleased to distinguish themselves from, and to exalt themselves above the rest of the Ministry) are by the same Parliament pluckt up by the roots. Their Lands then must needs Eschete and revert to the Commonwealth; (the proper Heirs of the first Founders and Donors, being dead many ages ago, and their memory perished from off the earth,) and therefore now as lawfully sold, as heretofore, in the case of *Mortmain*, Lands not by Licence received, might be seised and alienated by the chief Lord of the Fee, or by the King, and converted to what uses they pleased. Of which, before.

3. If we look into the judgement and resolution of the Pope himself in this case, we shall finde that he durst not to damne those of the Laity of the last age, as guilty of *Sacrilege*, that

k 25. Ed. 3.
Stat. de
Provis.

l 17. Car.
cap. 28.

that were possessed of *Church-Lands* after the dissolution made by *Hen. 8.* and his son, *Edward the sixth.* For *Queen Marie* (one of the Popes great Zealots) after she was possessed of the *English Crown*, desired the resolution of the Pope, whether she were not bound in conscience, to do her utmost that those Revenues might be restored to the Church?

To this, the Pope returned an answer in writing (2^o *Maria*) the Original whereof (saith *Dr. Hackwel*) (in) was, among other remarkable remembrances of that time, preserved in the *Office of the Kings papers*; to let her know, that there was no cause for restoring those Lands to the Church again; and giveth sundry reasons of that his resolution, which will ask some time to transcribe. However, because this is not vulgarly known, yet of use, I shall (as *Dr. Hackwel* hath led the way) set down the Popes own words, first in Latine, and afterwards in English: that it may appear that there is not, in the judgement of the Pope himself, any *Sacrilege* in the alienation of those Revenues. Which, I here mention, not as placing confidence in the Popes opinions; but as retorting upon the late Writers against *Sacrilege*, the opinion of them, who were the first founders of the Doctrines delivered by these: whereby they may yet further see on what sandy foundations their discourses of *Sacrilege*, are built.

m Answ.
to Dr. Car-
riers Let-
ter, p. 248.

The judgement of Paul 3. sent in writing
to Queen Mary, in the year 1554.
ANNO DOMINI, 1554.

See Doctor
Hackwel's
Answ. to
Carrier.
cap. 2. pag.
249. &c.

*Quod omnes qui iusto titulo juxta Leges hu-
jus Regni pro tempore existentes, habent aliquas
possessiones, terras, sive tenementa Monasteriorum,
Prioratuum, Episcopatum, Collegiorum, Can-
tariarum, Obhium, &c. sive eadem pecuniis suis
perquisiverunt, sive per donationem, vel per mu-
tationem, sive alio modo legitimo quocumque, in
sua possessione hujusmodi remanere possint, &
valeant, & easdem suas possessiones ratas &
confirmatas sibi habere, ex confirmatione & di-
spensatione sedis Apostolica.*

Causæ & Rationes quare hujusmodi
dispensationes, cum honore & con-
scientia recte concedi possint.

1. Status Corona hujus Regni bene susti-
neri non potest, ut cum honore regat & guber-
net, si hujusmodi possessiones ab illa separentur,
quod hodie maxima pars possessionum Corona, sit
ex hujusmodi terris & possessionibus.

2. Complurimi homines pecuniis suis acqui-
siverunt ingentes hujusmodi terrarum portiones,
a Serenissimis Regibus Henrico VIII. & Ed-
wardo VI. qui per suas Literas Patentes eas-
dem Terras warrantizarunt, quibus terris &
possessionibus, si possessores hujusmodi nunc pri-
varentur, Rex teneretur rependere pecunia
omne.

omnes in hac parte expositas, qua in tantarum summarum vim & molem sese extenderent, ut a Coronâ difficillimè restitui possent.

3. Magnates & Nobiles hujus Regni, quorum plerique vendiderunt & alienaverunt antiquas suas hereditarias possessiones, ut has novas obtinerent, & in suo statu vivere non possunt, si hujusmodi possessiones ab illis auferantur.

4. Acquisitores vel possessores hujusmodi terrarum & possessionum, propterea quod easdem habuerunt ex justo titulo, juxta ordinem Regum hujus Regni, habebant, & etiamnum habent bonam fidem in illis obtinendis.

5. Possessio hujusmodi terrarum adeo est communis cuique statui, & ordini hominum; civitatibusque, Collegiis, in Incorporationibus, ut si ab illis tollantur, & auferantur, subitam quandam metamorphosin singulorum statuum, & magnam Ordinis confusionem in universo regno hinc inde sequi necesse sit.

6. Cum bona & possessiones Ecclesie ex auctoritate Canonum, pro redemptione Captivorum alienari possint, Idque per illam Ecclesiam solam, ad quam illæ possessiones pertinebant, æquum est dispensari pro continuatione possessionis jam acquisitæ, propter tantam bonum publicæ concordie & unitatis Ecclesie, ac preservatione istius statui, tam in corpore quam in anima.

In English, thus :

• That all such as by just Title according to the Laws or Statutes of this Realm, for the time being, have any possessions, Lands, or Tenements lately belonging to Monasteries,

K 2

Prio-

Chap. 5. ' Priories, Bishopricks, Colleges, Chantries,
 ' Obits, &c. whether they have purchased
 ' them for their money, or are come to possesse
 ' them by gift, grant, exchange, or by any o-
 ' ther legal means whatsoever, may retain and
 ' keep the same in their possessions, and have
 ' the same ratified and established unto them
 ' by the confirmation and dispensation of the
 ' Sea Apostolike.

*Causes and Reasons why such Dispensations
 may be justly granted with honour, and
 conscience.*

' 1. The State of the Crown of this King-
 ' dom cannot well be sustained to govern and
 ' rule with honour, if such possessions be ta-
 ' ken from it: for, at this day, the greatest
 ' part of the possessions of the Crown, con-
 ' sisteth of such Lands and possessions.

' 2. Very many men have with their mo-
 ' nies bought and purchased great portions of
 ' those Lands, from the most excellent Kings,
 ' Henry the VIII. and Edward the VI. who,
 ' by their Letters Patents have warranted the
 ' same: of which Lands and possessions, if the
 ' Owners should now be dispossessed, the King
 ' should be bound to repay unto them all their
 ' money; which would arise to such an huge
 ' Masse, that it would be a very hard matter
 ' for the Crown to restore it.

' 3. The Nobles and Gentry of this Realm,
 ' most of whom have sold and alienated their
 ' ancient inheritances, to buy these new, can-
 ' not

not live according to their degrees, if these possessions should be taken from them.

4. The purchasers, or Owners of such Lands and possessions, inasmuch as they came to them by just Title, according to the Ordinance of the Kings of this Kingdom, have held and do still hold a good and justifiable course in obtaining of them.

5. The enjoying of such Lands and possessions, is so common unto every state and condition of men, Cities, Colleges, and Incorporations, that if the same be taken from them, there will necessarily follow thereupon throughout the Kingdom, a sudden change and confusion of all Orders and Degrees.

6. Seeing the goods and possessions of the Church, even by the authority of the Canon Laws, may be aliened for the redemption of Captives, and that the same may be done by that Church onely, to whom such possessions do belong: It is fit and reasonable that such dispensations should be granted for continuing of possession already gotten, for so great a good of publike concord, and unity of the Church, and preservation of this State, as well in body as in soul.

Lo, here a Pope himself (more concerned in such alienations from the Church than our sower Masters) is so far from making the selling, or purchasing of such Lands to be Sacrilege, that he gives many weighty reasons against the restoring of them, and for warranting the holding of them: provided, men would but take his confirmation and dispensation

Chap. 5. for it. Lesse than which a Pope could not propose.

Object.

But, what matter is it what *Popes* say? It is confidently affirmed that Dr. *Burges* (before he was engaged in buying Bishops Lands) openly acknowledged at the Bar of the House of Commons in Parliament, in his Answer (n) to Dr. *Hackers* Speech, then and there (in the Names of all Deans and Chapters) made for preventing the alienation of Cathedral Lands; That, to take away those from the Church, is Sacrilege; or words to that effect: concluding with the utter unlawfulness to convert such

* Hist of the endowments to any private persons profit *.

Church.

Cent. 17.

Lib. 11. p.

179.

So indeed that flashy jeering Author of the late published *Church-History* of Britain, upon hear-say onely, hath reported him; of which Historiographer, Dr. *Heylin* in his *Animadvers.* on that *Hist.* p. 225. thus: If it once be made a fame, it shall pass for a truth, and as a truth find place with our Authors History, though the greatest falshood. *Tam facilis in mendaciis fides, ut quicquid fama liceat fingere, illi esset libenter audire* *.

* *Minut.*

Felix.

But this is an unjust Aspersion. Dr. *Burges* did declare a concurrence with Dr. *Hacker*, in admitting that the alienating of any thing, settled by Divine Right upon the Church, is *Sacrilege*; but, nothing else. It was far from him to grant, that all which Cathedral men enjoyed, was theirs by Divine Right; or, to admit, that it vvas *Sacrilege* to aliene any other thing that vvas theirs, nor by Divine Right.

He intended no more in that Answer, than what

what he had long before (e) published in a *Præface* Chap. 5, to a little Tract of *Personal Tithes*, where he thus expresseth himself: To that Teneſſe (*viz.* that *Tithes* are due, *jure divino*) I ſubſcribe affirmatively, *ex animo*. But, with Cautions. 1. *Tithes* (I ſay not ought elſe) are due by Divine Right to Miniſters of the Goſpel. 2. I never was, nor (I think) ever ſhall be of that opinion, that all *Tithes* with- in ſuch or ſuch a Circuit of ground, now by poſitive Law made but one *Pariſh*, are abſolutely and without all exception, due by Divine Right to the perſon of one ſingle Incumbent there: but, to the *Church**, in whole Name he receiveth them.

* Or rather to *Chriſt*, her Lord; and, thereby to

Had he granted more, he had deviated from the truth. And could it be proved by an hundred witneſſes, that he fully concurred with Dr. *Hacket*, in this point; and, that ſundry who then heard him, ſo underſtood him; yet, this cannot make *Sacrilege* to be, in the true nature of it, of larger extent than it is indeed. What Dr. *Burges* then ſpoke, was upon the ſudden, (being put upon it by that honourable *House*) not having ſcarce an hours warning; and ſo, could not exactly ponder every expreſſion. That ought, in all reaſon, to be taken for his judgment, which upon ſerious ſtudy, he had publiſhed ſo many years before, which is agreeable to what is here ſet forth touching that ſubject (p). And if any ſuch thing, as he is by ſome charged with, fell from him in the *House of Commons*, or elſewhere, he doth renounce it as an

Cap. 3.

Chap. 5. error. If this satisfie not, he shall receive further satisfaction, when he hath better quitted himself of those 336 mistakes, falsities and defects charged on him by Dr. Heylin in his *Animadversions* on his *Church-Romance*, as that Author stiles it, where he further besprinkles him for his flashiness, levity, and jeering, than Dr. *Burges* hath done.

Object.

O! But let Dr. *Burges* be of what opinion he will, we must attend to Scripture for deciding this Controversie: we have Gods own word to prove the purchasing such Lands to be *Sacrilege*, upon this very account, that they were given to God, and so become *hallowed* things. The Scripture is so plain for it, that he that runs may read and understand it too, in this sence. Is it not said, *Num. 16.* after *Korah* and his associates were so dreadfully destroyed, for making and using *Censers* to burn incense withal; that God commanded *Moses* to speak to *Eleazer* the son of *Aaron* the Priest, that he take up the *Censers* out of the burning, (and scatter thou the fire yonder) for they are hallowed. The *Censers* of these sinners, against their own souls, let them make them broad plates for a covering of the Altar: for they offered them before the Lord, therefore they are hallowed? *vers. 37. 38.*

Ans.

Out of which text, many things may be observed, *viz.*

First, that men may offer some things before the Lord, and to him, which he hath not commanded.

Secondly, that such things, so offered, are hallowed;

hallowed; how wicked soever they be that Chap. 3.
offer them.

Thirdly, that upon such offering; and hallowing of them, they may not be employed to any use, but what is holy and sacred.

Fourthly, that therefore to imploy them otherwise, is *Sacrilege*.

This carries in it a shew at least of greater weight than all that is urged by most of those that would make *Sacrilege* as wide as the Canonists and Schoolmen do. But it is yet capable of an Answer sufficient to satisfie impartial men. For,

First, what is here first observed from that text, is denied: because, the text holds out no such thing. For, albeit *Korah* and his company sinned very much in taking on them to oppose *Moses* and *Aaron*; yet their Offering of Incense at that time, was not without some command: for *Moses* thus spake unto them, before they attempted any such matter: *This do, take your Censers, Korah, and all his company, and put fire therein, and put incense in them before the Lord to morrow,* vers. 6, 7. And, as if this were not enough, he doubleth the same injunction, vers. 16, 17. whereupon it is said, vers. 18. *And they took every man his Censer, and put fire in them, and laid incense thereon, and stood in the door of the Tabernacle of the Congregation, with Moses and Aaron.*

What plainer Command could be given? not, as approving what they were to do; but as bringing them to the tryal, whether they had not sinned very haynously against God,
in

Chap. 5. in murmuring against *Moses* and *Aaron*, as taking too much upon them; upon pretence that all the congregation were every one of them holy; that is, as fit as *Aaron* to do that service which he did before the Lord. To make this known to them and all men, he had them to take every man his Censer, &c. They should offer incense, and *Aaron* should offer too: and then the Lord, by the issue, would shew (as after he did) who were his, and who was holy; and would cause him whom he chose, to come near to him, as approving of him and his service, and rejecting and punishing the rest, who were but usurpers. Therefore, there was a command, for that act, at that time, for that end.

Again, whether these Censers were of *Korah's* own making, (which is not probable) or belonged to the Tabernacle, is not expressed in this Scripture. But, most probable, they were Censers pertaining to the Tabernacle, (although some think otherwise:) for it cannot be imagined they could be made in such a sudden; and, in such a seditious hurry: for they were to use them, the very next day after the command given; which was, not to make; but, to take every man his Censer. There were more Censers than one belonging to the Altar (p). The sons of *Aaron*, *Nadab* and *Abihu*, took either of them his Censer, when they offered strange fire (q). *Solomon*, when he had built the Temple, and made many Vessels and Instruments of Gold, among them, he made Censers of pure gold (r), which before

Num. 4.
12.

q Lev. 10. 1

r 1 Kin. 7.
50.

fore were made but of *brass*: how many they Chap. 5.
 were, is not certain; but, in probability, *ma-*
ny, as appears by the abuse of 70 of them at
 once by *the ancients of Israel* (which were all
*Priests**) and by *Jaazaniab* (the chief Priest) * Hieron.
 who is supposed to be the Ring-leader of the in Ezck. 8
 rest. They are called *Anciens*, because the vulg. Glos-
 chiefest of the Priests, chosen to be Judges in se, aliq;
 the *Sanhedrim*. Each had his *Censer*. Therefore f Ezck. 8.
 every Priest had his *Censer* to offer in, when t Interlin.
 his turn came about, as appears by *Zachari-* Glos.
as (u), who was a Priest, of the course of A- u Luk. 1. 9.
bin (w), and offered incense. w Vers. 5.

So that, these Censers, were not Vessels
 made and offered to the Lord by *Korah* and
 the rest of those Conspirators, as a free-will
 Offering, without a command; but they were
 made by *Moses*, for the use of the *Altar*, ac-
 cording to the pattern shewed to him in the
Mount (x), although now abused by *Korah*. x Exod. 25.
 Therefore, that Collection hence, *that men* 40.
may offer, and God accept, some things not com- Heb. 8. 5.
manded, hath no footing here.

2. The next inference from the same text,
 that *such things so offered, are hallowed, how*
wicked soever the Offerers be, will also now fall
 to the ground. For, if those Censers were
 not made, and freely offered by *Korah* and his
 company, without a command; but, were
 Gods own goods long before, being made by
Moses, by Gods own appointment, (as we see
 these were) then it follows not hence, that they
 were *hallowed* upon the account of a free-Offe-
 ring without a command. Those Censers were hal-

Chap. 5. hallowed before that time wherein they thus mutined: for, so the text, *vers. 38. They offered them before the Lord, therefore they are hallowed*: for in their constant attendance; all the Priests offered incense in their turns, which could not be without their Censers. Therefore here is no warrant nor argument to countenance, much less to make good the second Observation or Collection from the text in hand. That which misled that great *Tostatus* herein, was the Addition of the vulgar Latine Translation at the end of *vers. 37.* where it is said, the Censers were hallowed in *moribus peccatorum*, in (or at) the death of these sinners: which Addition is a gross corruption of the Text.

3. As to the third, *viz.* that which is once offered, and *thereby hallowed*, may not be employed to *common*, but onely to *holy uses*, will be more proper for the next Chapter; therefore it shall be but briefly touched here. We must distinguish both of *things offered*, and of their *hallowing* thereupon. 1. Some things are offered *voluntarily*, some by *command*: some are offered to be made use of in the very worship of God, at the *Altar*, as, the *tongs*, the *snuffers*, *censers*, &c. others were to be employed in more remote service, as the *hangings for the Court of the Tabernacle*, &c. the *Cur-tains of Goats hair for the Tent over the Tabernacle*, &c. The offerings of the first sort are so hallowed, that they must not be profaned by sale, or purchase to a common use: but those of the later, may, when once the use for which

which they served, is at an end; we see this in Chap. 5. this very case of not onely the hangings of the Court, the Curtains, but of all the holy vessels, together with the Tabernacle it self.

For, so soon as Solomon had finished the Temple at Hierusalem, the Priests took up the Ark, and brought it up out of the Citie of David; and, with it, the Tabernacle of the Congregation, and all the holy vessels that were in the Tabernacle, even those did the Priests and the Levites bring up (y). But, when the Priests brought in the Ark of the Covenant unto his place, into the Oracle of the House, to the most Holy place, even under the wings of the Cherubins, within the Temple; neither the Tabernacle, nor vessels, nor ought else, was brought into the Temple, save onely the staves of the Ark, which staves they drew out, so as the ends of them might be seen within the Holy place, but not without it (z). The Tabernacle, and most of the things belonging to it, were now of no longer use: no more were the old vessels: for Solomon had made all new (a). 1 King. 8. 3. 4.

Now let some of our severe Censurers inquire, and tell us what uses the Tabernacle, the Curtains, the Vessels, were put unto: (for, to the use of the Temple they were no longer employed) and then we shall be able to say more to the fourth deduction, viz. Verf. 6. 7. 8.

4. That to imploy to common uses things once offered and hallowed, is Sacrilege. This inference is no way deduceable from Num. 16. for that there, the Text speaks of hallowed things, which were of use to cover the Altar from the rain

Chap. 5. rain and storms, while that Altar was used: and, of such things, as Originally were of Gods own appointment, and his own goods (the Censers) abused by *Korah*. Here, to have diverted them to other uses, had been the committing of *Sacrilege*. But, take them after the Temple was built, the Ark put into his place in the Temple, the Tabernacle, old Altar, and vessels being of no longer use, nor longer employed in the worship of God, let them who can, make the laying them aside and employing them to other uses, to be *Sacrilege* in *Solomon*. And, were this to be demonstrated, yet this were nothing to prove the alienating of Church-Lands of Bishops and Cathedralists to be *Sacrilege*, they being not (as those last spoken of) appointed and commanded of God, nor ever so hallowed: but, the offerings and gifts of men without varrant from God, or acceptance with him. And let men alleage *Luther, Calvin, Knox, Sir Edward Coke, &c.* to prove that such Church-Lands cannot be aliened from the Church without *Sacrilege*; yet this will be no concluding proof, unless they prove it by Scripture; which they have not done. Therefore, being but men, we may not swear *in verba Magistri*: but rather say, as he, *Amicus Plato, amicus Socrates, sed magis amica veritas*: They are all friends, but Truth is the friend we must own before, yea, against all other. They that urge them, can, and do despise and scorn them in other things: and, in this, they alleage them to serve their own turns, not to honour the Authors: nor will take

take notice of what those men say against Chap. 6.
them.

But, it is happened to some of those rash
Censurers; as once to those *Oxen*, of whom
Columella (b) (in the time of *Claudius Cæsar*) ^{b De Re-}
noureth, that feeding upon some rank grounds, ^{lib. 2.}
ran mad with the fatnesse of their Pasture.

This might suffice, were it not ever too true
of too many, *non persuadabis etiam si persua-*
seris. Thou shalt never bring me over to
thine opinion, although by reason thou suffi-
ciently perswade me. Therefore, some *An-*
swers must now be given to such plausible *Ob-*
jections as seem to carry any strength, or co-
lour of reason in them, which *Avarice*, *pride*,
ill affections, or *sinister ends* will be apt to urge
against the Positions laid down and asserted in
this present Tractate, and not before obvia-
ted, or prevented.

CHAP. VI.

Answers to such Objections and Arguments
as are brought to prove the sale of Cathe-
dral Lands to be Sacrilege, yet unanswe-
red.

ANd here, at the beginning, let it not be
expected that Answers should be given
to any bare and Magistral assertions of men of
highest rank and esteem; whether Fathers,
School-men; or Protestant Divines of greatest
note in the Church; Be the allegations out
of

Chap. 6. of them never so many, plausible, or peremptory; further than they bring, Scripture, and sound Arguments thence, to back, and confirm them. Nor shall it move, if others please to decry this Treatise, with, and by the multitude and noise of great Names that have declared to the contrary: or, to censure it as they please upon such a weak foundation. Let every such Opponent take that to themselves, which sometimes *Austin* wrote to those that read his books *de Trinitate* (c), *Noli me as literas ex tua opinione, vel contentione, sed ex Divina Lectione vel in concussa ratione corrigere.*

c Lib. 3. in
Proam.

1. Object. Bishops as such, are (say some) of Divine Right: or (which is equivalent) of Apostolical Constitution: therefore they could not by any Law of man be taken away, as the Levites, were; and ought to be when Christ had put a period to their service and office: so that, they have still as good right to their Lands, as ever heretofore; and, it is now as unlawfull to purchase those Lands, as if Bishops were still in being.

Ans.

To this it is answered. 1. That if a Parliament (the Representative of the whole Nation) shall enact an Abolition, no private person or party, may afterwards gain-say, or oppose it; without making himself obnoxious, and liable to punishment; yea, (in the opinion of some great Clerks, Divines, as well as Civilians and Canonists) guilty of *Sacrilege*; taking it in the largest sense. It behoves them therefore who are so zealous against *Sacrilege*, to beware that themselves do not commit it.

If

If any Replie, that *Arch-bishops and Bishops, Deans and Chapters, &c.* neither by the *Ordinance of Parliament for abolishing of Arch-bishops and Bishops*; nor by the *Act for taking away of Deans and Chapters, &c.* are legally taken away, forasmuch as the *Royal Assent*, was ~~not~~ given to either, without which, neither could passe into Acts of Parliament that might be binding; such are desired to consider, 1. That those Two *Houses* who made the first *Ordinance*, were enforced to it, by the Kings deserting them and putting them out of his protection, fighting against them, and refusing to assent to any Bill by them offered to Him. They therefore being assembled in Parliament, had in them the sole Legislative power, there being then none else left to take care of the publike in a Legal way. It was in this all one, as if the King had been dead; in which case, till a new King be chosen, the power is in the Parliament alone: Yea, in the Privy Counsel and the Lord Mayor of *London*, (who is then President,) if no Parliament be sitting. By this Authority alone, *Queen Elizabeth*, *King James*, and the last King were proclaimed, by the Council at *Whitehall*, and no man ever questioned the Legality of it. 2. That other *Act* for taking away *Deans and Chapters* made by one *House*, is also admitted upon the same account, to be Legal, because there was then no House of Peers, or King in being. In which case, the Act had been good, if but fourty of that House had been present at the making of it: nor was

Chap. 5.

the Legality of it, ever questioned in Parliament since the passing thereof.

Mr. Sanderson, fol. 1349.

* Adversism. on that History, pag. 193.

And albeit the King never gave his Royal Assent to those Ordinances and Acts in Parliament, yet it is asserted by the Author of the *History of his Reign*, that he did give way that whatsoever in Episcopacy did appear not to have clearly proceeded from Divine Institution, should be totally abolished: by which concession, saith Dr. Heylin (*), that the Dignity of Archbishops was to fall, is confest on all sides; and that the King made the like concession for the abolishing of Deans and Chapters, is acknowledged also. And thereupon it must (saith he) needs follow, that the Episcopal Function was to die with the Bishops which were then alive, no new ones to be made, or consecrated after those concessions. For, by the Laws of this Land, after the death of any Bishop, his Majesty is to send out his Writ of Conge d'Eslier, to the Dean and Chapter to Elect another. Which Election being made, signified under the Chapters Seal, and confirmed by the Royal assent; the King is to send out his Mandate to the Archbishop of the Province, to proceed to Consecration, or Confirmation, as the case may vary. And thereupon it must needs be, that when the Church comes unto such a condition, that there is no Dean and Chapter to Elect, and no Archbishop, to consecrate, and confirm the person Elected, there can be legally and regularly no succession of Bishops. By which, it is evident, that albeit the King did not confirm the Ordinance and Act above-said in Parliament, yet he would have done it, had

had he been there, saving onely to Bishops Chap. 6.
what should clearly appear to be of Divine In-
stitution; which the Parliament hath not ta-
 ken away. For albeit they have taken from
 them the office and power of *sole Ordination,*
 and *sole Jurisdiction* (which this Assertor
 would fain prove out of Scripture to belong
 unto them by *Divine Institution*) yet they
 have not taken away any power, which the
 Scripture truly and indeed doth give to Bi-
 shops of Christs Institution; as shall by and by
 appear. For,

2. If by *Bishops* be meant onely faithfull
 and eminent Ministers of the Gospel, that
 faithfully feed the flock, over which the holy
 Ghost *instituted* hath made them Bishops,
 or Overseers (d): not as Lords over Gods heri- ^{d Act. 20.}
 tage, but to be examples to the flock (e); which ^{28.}
 is required of all Elders, (*instituted*, to take ^{e. 1 Pet. 5. 3}
 the oversight of their flocks) (f), such Bishops ^{f Ver. 1. 2.}
 must needs be acknowledged to be of *Divine*
Institution, even every one of them: for, so
 Paul pronounceth all the Elders of the Church
 of Ephesus, that God had made them *instituted*,
 Bishops, as but now was shewed: such Bi-
 shops could not be taken away, nor their Of-
 fice abrogated by any Law of man. But,

3. Our Bishops would none of this; nothing
 sounded so harsh in their ears, as a Parity in
 the Ministry (*). This, was not only *Schisme*, * *Episcopa-*
 but *Heresie*, in their construction. They ^{cy by divine}
 claimed a Power and Dignity (even by *Divine* ^{right. His}
Rights) above other Presbyters, or Ministers: ^{Serm. ad}
 and that in the two greatest points of Eccle- ^{clerum on}
^{Act. 15. 6.}

Chap. 6. *hierarchical Authority.* For, they appropriated *Answer to Ordination*, and *Jurisdiction* solely to themselves, as being a distinct Order Superior to Presbyters: and to their Officers and Deputies in their right. For this, one of their forecited Advocates (g) most learnedly (as he thinks) quotes two or three Texts of Scripture to prove the power of Ordination and Jurisdiction to be given to those men alone. For then saith he, that power is properly Episcopal, when one man alone may exercise it.

Letter, &c.
Church-
Lands not
to be sold,
alique.
g Answer
to the Let-
ter, &c.
pag. 20.

His first Scripture, is, 1 Tim. 5. 22. to prove Ordination to be in Bishops alone. *Lay hands suddenly on no man.* Lay hands, in the singular number. *Thou, and thou alone.* But can any man that ever read over the New Testament, believe that this Answerer ever read in all over too? If he did, how could he so confidently fasten such a glosse upon this Text? Did he never read *Act. 13. 1, 2.* Of certain Prophets and Teachers assembled at Antioch; as Barnabas and Simeon, Lucius of Cyrene, and Manaen (not one of them, at that time, a Bishop, in Mr. Doctors sense) for, they were *επισκοποι & διδασκαλοι*: who were commanded by the Holy Ghost, to separate Barnabas and Saul, for the work whereunto he had called them: (that is, to preach to the Gentiles.) And, when they did so, did they send for one of Mr. Doctor's Bishops, to Ordain, or Consecrate them, by himself alone? Nay, when *THEY* (in the plural) had fasted and prayed, and laid *THEIR* hands upon them, *THEY* sent them away. Here was more than one (three at least) and,

and, for ought appears in the Text, not one **Chap. 6.**
Bishop in the Company. This might satisfie
 Him (*h*), (were he now capable) who saith
would see, where ever it can be read, that Pres-
byters, without a Bishop, in a regular course im-
posed hands for Ordination. h Jos Exon.
Episcopacy
by Div.
right part.
2. sect. 15.

And hath Mr. Dr. forgotten, what the same
 Apostle, in the same Epistle, had before said to
Timothie, 1 Tim. 4. 14. Neglect not the gift
that is in thee, which was given thee by prophecy
with the laying on the hands of the Presbyte-
ry: not, the Bishop alone? If he Answer, out
 of Bishop Hall (*i*), who puts off this with Ibid.
Calvines Exposition (k), who (having al-
leaged, 2 Tim. 1. 6. for Pauls laying hands on
Timothie, saith, that Paul did it alone) under-
stands that Text, 1 Tim. 4. 14. not of the im-
position of the hands of the College of Pres-
byters, or Elders; but of the very Ordination
it self: as if Paul had there said, Fac ut gratia
quam per manuum impositionem recipisti, quum
te Presbyterum crearem, not sit irrita. See that
 the grace thou hast received by imposition of
 hands, when I made thee a *Presbyter*, be not
 in vain. Of which opinion, that Bishop saith,
Hierom, Anselme, Haymo, Lyra and others, be.
 Let him take this Reply.

This is but *Calvins* single opinion: for not
 onely *Hierome*, a *Presbyter*, but *Anselme*, an
 Archbishop, saith, no such thing, on *1 Tim. 4.*
14. St. Hierome, on that Text, reads it *Pres-*
bytery: and expounds it *de Ordinatione Epis-*
copatus: So, that with him *Presbytery* and
Episcopacy was all one. So *Anselme*, *Qua ma-*

Chap. 6. *numm* impositio fuit Presbyterii, quia per hanc impositionem, accepit Presbyterium: id est, Episcopatum. Episcopus enim vocatur saepe ab Apostolis, Presbyter, & Presbyter Episcopus. That imposition of hands was of the Presbytery, because thereby he received a Presbytership: that is, the office of a Bishop: for a Bishop is often by the Apostles called a Presbyter; and, a Presbyter a Bishop.

Nor doth *Lyra* (*Haymo* is not at hand) speak otherwise, in effect. He indeed saith, Presbytery here is the Dignity or Office of a Presbyter, as Calvin doth. But, here Presbytery is taken for Episcopacy; as on the other side, under the name of Bishop or Episcopacy, is comprehended a Presbyter or Presbytery; as saith he, it was, in the next foregoing Chapter. Nor do any of these Authors say, either on this Text or any other, that this laying on of hands was done by one Bishop, alone, but on the contrary, the common glosse on 1 Tim. 4. on the word Presbyterii, saith, this was put for Presbyters, quia minus tribus esse non possunt: because they could not be lesse then three: referring (it seems) to that place in Act. 13. before cited.

2. If these men vouch Calvin, for the sense of 1 Tim. 4. 14. they must not refuse him, where he puts Bishops, Presbyters, Pastors and Ministers promiscuously, one for another, who govern the Church; the rather, because he saith, *Id feci ex Scriptura usu, qua vocabula ista confundit: quicunque enim Verbi Ministerio funguntur, iis titulum Episcoporum tribuit*.

tribuit, &c (1). I did it, saith he, from the use of Scripture, which promiscuously useth those terms. For whoever they be who exercise the Office of the Ministry, the Scripture gives to them the title of Bishops, as in *Tit. 1. Phil. 1. Act. 20.* Now then, they who vouch him for *sole Ordination*, must admit of this other: It being a maxime in Law, grounded upon good reason: *Fortius accipiuntur verba contra proferentem.* If a man produce a Record, or other writing for him, that Record (if it contain any thing against him) shall make more strongly for his adversary. His very producing of it, makes it an evidence beyond exception, for his Adversary, if it say any thing for him. And so, much good may Calvin do them.

And, whereas Mr. D. is pleased to quote the *Book of Consecration of Archbishops and Bishops*, heretofore used in the Church of England; from the *Preface*, whereof, he would prove not onely the distinction, but superiority of Bishops over Presbyters and Deacons: he may vouchsafe to acknowledge that, in the ordering of Priests, (in the same book) after the Bishops prayer, immediately preceding the Act of Ordination, there is a *Rubrick* (as authentick, as the *Preface*, and therefore the Doctor's own Evidence too) which saith, *When this prayer is done, the Bishop, with the Priests present, shall lay their hands severally upon the head of every one that receiveth Orders.* Now, if the Bishop be to lay hands alone, where was his brains that made that

Chap. 6. *Rubrick* ? or, where were Mr. Doctor's eyes, that he could not see it ?

His next Scriptures are, *1 Tim. 5. 19.* and *Ti. 1. 5.* to prove sole Jurisdiction in Bishops. *Against an Elder, receive not (thou, and onely thou, in the singular) an accusation, but under two or three witnesses ; the Text is plain, He, and He alone might do it. So, Paul, to Titus ; For this cause left I thee in Crete, that thou (and thou alone) shouldest set in Order the things that are wanting, and Ordain Elders in every Citie.* Where plainly (saith he) these two powers of Government, and Ordination, are given unto one man. To which he adds the Inscriptions, in *Rev. 2.* and *3.* to the *Angels* of those Churches ; by which *St. John* intended all the Governing Power should rest in those Angels, to wit, the *Bishops* alone.

But, if this Gentleman, his Imitator and follower, and all others of the same opinion, would as seriously consult the Scriptures, as (it seems) they do other Writers, they might find that *Excommunication*, (the highest piece of Ecclesiastical Jurisdiction) was not so appropriated to a Bishop ; but that others are to joyn (at least) with him in it. For so, *Paul* himself ordered, in the case of the incestuous Corinthian. *I verily (saith he) as absent in body, but present in spirit, have judged (or, determined) already, as though I were present, concerning him that hath so done this deed, In the name of our Lord Jesus Christ, when ye are gathered together, and my spirit, with the power of our Lord Jesus Christ, to deliver such*

a one unto Satan, for the destruction of the flesh, Chap. 6.

&c. 1 Cor. 5. 3, 4, 5. Which is not so to be understood, as if Paul alone had exercised this power, and executed this sentence upon that incestuous Malefactor. For, that Apostle himself declares the contrary, when he saith, *Sufficient to such a man is this punishment* (or Censure) *which was inflicted of many*, 2 Cor. 2. 6. And therefore, for taking off that Censure, Paul requires them to absolve him; and beseecheth them so to do, *vers. 7, 8.* which he would never have done, if they had nothing to do in it, but that the whole power had been in himself, or, in some Bishop alone; that is, as Beza Terms it, *Episcopus ordinis*, a Bishop Superior in Order, to the rest of the Presbytery at Corinth, which, at that time, (if we believe that great Bishop St. Austin) (m), the ^m *Quest. in* Church of Corinth had none. And verily, ^{N. Test. cap.} when Christ himself bad, to sell the Church (n), ^{49.} ⁿ Math. 18. no rational man can, with any colour of reason, conceive him to mean, any one particular man (a Bishop, or the like) alone; but, the whole society of those that Governed; or, that were such as Paul calls *κωβηρυτοι* (o), *Helps*, ^{1 Cor. 12.} or Assistants, in Government: which, whatever it imports, is enough to declare, that the Government was not in one alone. And surely, if the Elders of the Church were in Pauls time *ἐπισκοποι*; to Bishop it, *Act. 20. 28.* there was more than one that Governed that Church.

As for that great flourish made, out of Councils, Fathers, and Histories of the Primitive

Chap. 6. *five times, to shew that Jurisdiction was ap-*
propriated to the Bishops from the first (p); It
 p Episc. by *is of no value with such as shall duely consider*
 div. Right. *that there was no such thing in the times of*
 patt. 2. sect. *the Apostles, taking Bishops as Episcopalians*
 16. *now do. And, if after, any such power was*

taken, they shall do well to make it out that
this was no part of the Mystery of Iniquity
which, even in the Apostles times, began to
 q 2 Thes. *work (q); nor, did afterwards, shake hands*
 2.7. *with it. Mean while, it becomes sober men to*
rest on the Scripture alone.

Howbeit, our Bishops (as appears by one of
their Books, thrust out in defence of their
 r Epist. *common cause) (r) looked upon themselves, as*
 Ded. (pag. *being of a superior Order, that had the whole*
 2.) of Episc. *power of Ordination and Jurisdiction vested in*
 by D. Right. *them alone (upon which account they had*
 An. 1640. *those vast Revenues in Land; as, that Statute,*
de Provisor. Benef. 25. Ed. 3. before cited,
sheweth.) So the late Parliament (taught by
them) look't upon them too; and, upon that
very ground, cast them out of all. Since
which time, none of them have vouchsafed to
assert their Titles to their Office and Reve-
nues to be of Divine right. Onely those Ad-
vocates before mentioned, have attempted, but
not performed it.

That there have been Bishops, Presbyters,
and Deacons, not onely since, but in the Apo-
stles times; and that such as were instituted
by the Apostles, are of Divine Institution, and
ought to be continued, is not by any man well
in his wits, denied, but acknowledged. All
 the

the Controversie is, what is meant by those Chap. 6. *Bishops*. We say, that the Bishops were all one, in regard of Order, with the *Presbyters*, as was before shewed not onely out of *Hierom*, but out of *Austin*, *Anselme*, *Lyra*, (and may be also shewed out of divers others) who never admitted of any *Bishops* made by the Apostles to be of a distinct Order, from and above *Presbyters*, to whose *Episcopacy* the sole power of *Ordination* and *Jurisdiction* were appropriated.

And, upon this account it is, that *Paul*, in his *Epistle* to the *Philippians*, chap. i. 1. saluteth but two Order's; *Bishops* and *Deacons*: under *Bishops*, he comprehends *Presbyters* too: because they differ not in order, as the Learned generally expound that Text. For brevity, take the Exposition of one Archbishop of *Canterbury*. *Anselme*, *Episcopis, id est Presbyteris* — : *Episcopos namq; pro Presbyteris more suo posuit. Non enim plures Episcopi in una civitate erant, neq; Presbyteros intermitteret, ut ad Diaconos descenderet. Sed dignitatem & excellentiam Presbyterorum declarat, dum eosdem qui Presbyteri sunt, Episcopos esse manifestat. Quod autem postea unus electus est, qui ceteris praeponeretur, in schismatis remedio factum est, ne unus quisq; ad se trahens Evangelium, rumperet. Nam est Alexandria a Marco Evangelista usq; ad Heraclam, & Dionysium Episcopos (qui federunt in Centuria 3.) Presbyterum unum de se electum, & in excelso loco & gradu collocatum Episcopum nominabant, quemado si exercitus, imperatorem faciat,*

Chap. 6. *ciat, aut Diaconi elegant de se, quem industri-
um noverint, & Archidiaconum vocent. Con-
stet ergo APOSTOLICA INSTITUTIONE,
omnes Presbyteros esse Episcopos, licet nunc illi
maiores hoc nomen obtineant. Episcopus enim
superintendens dicitur: & omnis Presbyter
debet intendere curam super oves sibi commis-
sas.* Thus, He. And, what need more?

So then, for more orderly executing of both;
and for avoiding of confusion, it is also fur-
ther admitted, that in all Associations and
Conventions of the Presbytery or Episcopa-
cy (for they are both one) it hath ever been
the practise of the Church to choose one of
themselves, fittest for gravity and activity, to
be the mouth of the rest in all transactions of
the Ecclesiastical Power; which one they cal-
led the *Bishop*; not as making him superiour
in order to themselves, but onely to be first
and chief in place (yet still of the same *Order*)
to be the hand of the rest, in executing what
they agree and appoint him to do, in matters
of *Ordination* or *Jurisdiction*. They act as
well as he: but, by him. And when he act-
eth, it is from them, and by their appoint-
ment, as a *Speaker* in a *Parliament*, or *Prolocu-
tor* in a Synode or Assembly. He is called
thither at first, by the same writ; and being cal-
led, they choose him; not to be exalted above
them, but rather to serve them. Therefore,
they give him the more honour and respect,
because he *ruleth well*: not as their Gover-
nour superiour to the Presbytery, but as their
Agent in administering that Government,
wherein

wherein they all have an equal power and Chap. 6.
share.

And verily, it is a wonder to see and consider how much such sticklers for elated Episcopacy herein, differ from themselves in another point of like nature: namely, touching the Primacy of St. Peter, which the Roman Faction would scrue up to a Supremacy. All ours, that understand themselves, yeild him a Primacy in order of Nomination; but not a Supremacy in order of superintendency and authority over the rest of the Apostles. They were all Apostles as well as he, and had equal power and authority with him. Yet, because when they were chosen by Christ, it is said, *The first is Simon, who is called Peter* (1); and usually, when any answer was made to Christ in the behalf of the whole company, he was their mouth (2): therefore he is called *Primus Apostolorum*, the first, or chief of the Apostles; not as their superiour, but as their fore-man and mouth. Such, and no other were the Bishops of Christ and of his Apostles making. They that claim more, may better derive from *Anti-Christ*, who as in other things, so in this, is a manifest Opposer of Christ: and such, for the most part, were they.

If therefore the Levites, who had a clear Plea for their *Divine Institution*, justly lost their Lands, and all other their Levitical maintenance, together with their Offices, there can be no just scruple of Conscience to buy, sell, and make use of Cathedral Lands given for the maintenance of the Bishops, and the rest
of

Mar. 10. 2

t Mar. 16.

Mat. 19. 27

John 6. 68.

66.

Chap. 6. of their Cathedral Brethren and Officers (whose Title was never so good as that of the *Levites*) after the Bishops themselves, and their Cathedralists be laid aside for ever, as Usurpers over their Brethren of the Ministry, as well as over the rest of Gods Heritage. They are no otherwise put out of their Office, than as they assumed to themselves (and proclaimed it to be their due by *Divine Institution*) the usurped Superintendency of *Diotrephes* (the first Bishop of their order that ever we read of) *who loved to have the prebeminence.* And therefore was by Saint John himself (an Apostle not made of fire, but all of love) cast out of the Church which that proud prelate persecuted, by his *prating and malicious words* (u).

u 1 Joh. 3.
10.

But is it just to condemn and cast them all out, for some few mens faults? or if it must be so, must this be done before they be called to answer for themselves? In some cases it may. As first, when the offence is so inseparable to the Office itself, that the evil cannot be removed without abolishing the office: not that Episcopacy in sense of Scripture is such; but, as our Bishops had drawn it awry to serve their own ambitious lusts. Therefore all were removed. And, as to the other, though in ordinary course, men ought to be heard; yet *some mens sins go before unto judgement.* 1 Tim. 5. They are so palpable, that there needs no proof. And it is ordinary in the Episcopal Government, to decry men for some offences, excommunicate *ipso facto* without hear-

hearing, because the very nature of the sin is so Chap. 5.
heinous, and so openly committed, that there
needs no hearing. Yea, do they not excom-
municate commonly, for want of paying Fees
only, even in the absence of the party? They
must not therefore implead others, when
themselves do worse.

2. It is objected, *That Bishops were Mini- Object. 2.*
sters too, (although somewhat more) and
preached, as well as others; and were moreover
of great use, for the good government of the
Church, and support of the Truth, which since
their ejections, hath extremely suffered. There-
fore, as Ministers (at least) they and their
means should have been continued.

Answ. Admitting (but not granting) this
to be true: yet what they really did as Mini-
sters, they might have done still; had not
their haughtiness, fullness, and contempt of
authority, hindered. It was their usurped E-
piscopal Dignity, not their Evangelical Mi-
nistry, that is taken from them. Now, their
Lands were given and fixed (as is before
shewed) to their elated Episcopacy, not to
their Ministry; to their *State of Prelacy*, not
to their Presbytery, as themselves distinguish
this from the other. If any of them had (as
very few of them had) a minde to preach
the Gospel, (as that learned Archbishop U-
sher did, so long as he was able, and was there-
fore encouraged while he lived, and honoured
being dead) they had their liberty so to do,
notwithstanding the abolishing of their Epi-
scopal Authority. But, they plead, that they
could

Answ.

Chap. 6. could not, afterwards, have liberty to preach by reason of the *solemn League and Covenant*; and after that, the *Engagement*, imposed on all that were allowed to preach. This is but a Fig-leaf, a meer pretence: For, first, there was no more imposed on Ministers than on all others: Secondly, these have not been of late years pressed; yea, the second, wholly laid aside. What hath hindred them since? some of them (you will say) are dead. But others of them are yet living, and more often met in the streets, &c. than seen in Pulpits. What have they to plead now? Perhaps they cannot stoop so low as to ascend a Pulpit, as ordinary Parsons or Vicars: Let this lye upon their own account, and not be charged on the State. Others, as good, have done otherwise. *Miles Coverdale*, made Bishop of *Exeter* by *Edw. 6.* and after condemned to the fire, saith *Isaacson*, (from which he was saved by mediation of the King of *Denmark*, yet banished) in Queen *Maries* reign; after his return, in Queen *Elizabeths* reign, was content to accept of the Parsonage of *St. Magnus London*, (not clearly worth 100 l. per annum, when it was at the best) and to spend the rest of his days in preaching there.

But too many of our late Bishops were so far from preaching, while their authority lasted, that they did their utmost not only to decry Preaching, but to advance profanation of the *Lords Day*, which they should have spent in Preaching, and other Divine Offices of the Day. No wonder therefore, if now they

re-

refuse to preach; some of them being kept Chap. 5.
off by very shame of taking up that now which
they formerly persecuted; others, through
dis-use, know not how to return to their so
long neglected service. And, that this may
not be thought to be *gravis dictum*, spoken by
way of calumny, without grounds, take an in-
stance or two.

Was it not, by some of their countenance,
(if not procurement) that King James would
needs use, or rather abuse his authority to to-
lerate, yea, to allow of sports upon the *Lords*
Day; to which purpose, he caused a Book to
be compiled (by a Bishop, now nameless, be-
cause long since dead) to justify that profana-
tion of the *Lords Day*; and commanded all
Ministers to publish it, as if he resolved to
make them thereby to confute their own prea-
ching? And did not the succeeding Bishops in
King Charles his reign, move and procure the
reviving of that Book, causing it, by his au-
thority, to be reprinted, with a stricter com-
mand for the publishing of it? If it be said,
Prove this: they were too cunning to pro-
claim what some of them suggested to the King
in private: yet, *a posteriori*, by the effect af-
terwards, it was too palpably evident. For
some of them (to shew their obedience to
his Majesty on earth) would needs have
those sports acted before their own eyes, and
encouraged and rewarded the grace-less Ac-
tors: and, generally all of them, made strict
enquiries in their Visitations (after the Book
was the second time published) whether eve-

Chap. 6. ry Minister had read and published it to their Congregations in their several Churches: as was then enjoyned: and, such as had not done it, were either punished, or severely threatned with Suspension.

Was it not by their means that preaching was prohibited in the after-noon of the Lords Days (thereby aiming especially to put by Lecturers, whom they abhorred; yet, were ashamed openly to discharge) and the Minister, in room thereof, was to ask the Children a few Questions (if he would) in the common Catechism: but, if he expounded them, this was interpreted to be preaching, and an affront done to Authority. Why? but because such Expositions held the people too long from their sports then allowed them.

Yea, was it not their great industry and contrivance to put down all *Lectures* on week-days also? In order whereunto, they procured an Order from his late Majesty, that whoever would preach a Lecture on the week-day, he must first, in his own person, read the Book of Common Prayer in his *Surplice and Hood* of his degree, (although he preached not in his own Church, but elsewhere, casually at the request of a friend:) and hath none been brought into the *High Commission-Court*, and there canonically admonished for refusing this? If any doubt hereof, let him ask Doctor *Burges*: or, others yet living in St. *Mary Overies* in *Southwark*, that lived there in Bishop *Neales* latter days, and used to frequent the Thursday Lectures there in Mr. *Moretons* time.

Was

Was it not fully proved (not by *Puritans* as some maliciously bent against the power of godliness, usually called all that desire to live godly; but, even by such as afterwards fought against them) that one of those Bishops *thanked God that he had put down all the Lectures* (even Mr. *Crookes* too, which was preached *gratis*, yet not without his great charge in entertaining of Gentlemen and Ministers that frequented his Lectures) *within his Diocese*? And did not other of the Bishops the like, in theirs? The proofs hereof, are not yet obliterated. And when the Deans and Prebends preached in their Cathedrals; what were their usual subjects, but crying up the Kings Prerogative; yea, absolute Authority even above and against Law; and that all were bound even in conscience to obey all his commands, without disputing, or insisting on the Laws of the Land? Or, the publishing of *Arminianism* (yea, Popery in some points) after the Duke of *B.* resolved to cross and oppose Archbishop *Abbot* that refused to own the Dukes courses, or to promote his designs? Or, it was to extol the Book of Common Prayer above all other parts or duties of Religion, especially *preaching*? Or to declaim and rail at *Puritans* as factious, seditious, and what not, but what they were. And to the end the Towns-men and Citizens might surely be season'd with such leaven, to some purpose, order was taken in sundry places, that if there were any Parochical Minister in those Cities that had a desire to preach in his own

Chap. 6. Parish-Church on the Lords day, at the usual hours: This was not suffered, but he and his Parishioners, the *Maier, Aldermen, &c.* must all come up to the Cathedral to hear this frothy stuff from their Cathedral Masters; as if they could not be saved without it. So was it done in *Wells*, for many years, even when Mr. *Hall* an able, godly, painful Minister, was Vicar of *St. Cuthberts* in *Wells*, who was fain to preach to such as he could get to Church, by seven of Clock in the morning, because afterwards all must to the Cathedral.

Moreover, how were conformable Ministers (how able, pious and peaceable soever) scorned and jeered as *Praters*, (not *Preachers*) if their preaching often shamed the laziness and idleness of Drones and Prelatical Pluralists, that (though double-beneficed) must needs live at their Cathedrals, forsooth, where they did little but riot and flaunt it, and held it to be an evidence of their great parts and deep learning, to preach but seldom? Was it not peculiar for any *Animalculum prædicabile*, or *Preaching Cox-Comb*, (as Dr. *Lindsey* styled Bishop *Usher* himself, for his often preaching) that is, for any faithful Minister to preach twice a day; which, by another Bishop, was in scoff, therefore likened to *Virgils* Cow, that (*his venit ad mulctram*) came twice a day to the Pail.

And as for the Bishops own preaching (especially at last, after Archbishop *Laud* had openly declared a Designe to re-gain all those places and offices of Trust, Power, and Judicature

capture of the Commonwealth, which the Popish Bishops in former ages held) it became an unpardonable offence to mind them (publickly at least, of their duty in preaching, which many of them had laid aside, as too mean for their greatness, as a thing unnecessary, and inconsistent with their greater and more weighty Affairs.

Chap. 6.

This Dr. Burges is able to witness, to his cost. For he, preaching a Latine Sermon to the London-Ministers, in *Alphage Church*, near *Sion College*, (by appointment of the Governors thereof) pressed all to diligence in preaching. To drive which nail to the head, among other Arguments he urged what had been anciently required even of Bishops themselves. And, after minding them of *the Third part of the Homily against the peril of Idolatry*, wherein it is said, of the Primitive Bishops, ' That they were preaching Bishops, more often ' seen in Pulpits, than in Princes Palaces; more ' often occupied in his Legacy, who said, *Go ye into all the world, and preach the Gospel*, than ' in the Ambassages of Princes: he recited an old Canon of the sixth general Council in *Trullo*, with *Zonaras* his Note upon it; which Canon enjoined Bishops to preach often; at least every Lords Day, or to be Canonically admonished: whereupon, if they reformed not, it was further ordained that they should be excommunicated, or deposed.

Anno
1635.

Some of his Prelatical Hearers (albeit they gave him thanks for his Sermon) informed Archbishop *Land* of this: and he, the King.

Chap. 6. Hereupon he was by Letters Missive summon-
ed into the High-Commission Court (then
little better then the *Spanish Inquisition*, after
Land had obtained a grant from the King, that
all fines there set upon any mans head, should
go towards the repairing of *Pauls London*) to
answer this haynous crime. *Articles* were
there exhibited, charging him with disaffecti-
on to the Book of Common Prayer, Ceremo-
nies and Government of the Church by Bi-
shops, as also for his charging the Bishops
with conniving at the (then too palpable)
growth of *Arminianism* and *Poper*y, and with
their too much conforming thereunto, &c.
but chiefly, for that he seemed to tax and ac-
cuse divers *Prelates*, and Reverend Bishops of
this Kingdom, for neglecting to preach often-
and, for all alleaging to that purpose, that the
ancient Bishops were frequent and diligent Prea-
chers; quoting an old Canon, that every Bishop
should preach every Sunday; and, if negligent
herein, he should be admonished: upon which, if
he reformed not, he was to be excommunicated, or
deposed: without considering their many and
weighty Affairs.

This made the chief of them in power to
spurn so furiously against him (one Bishop of
London excepted) that their party every where
gave it out, that he should be both deprived
and degraded. And doubtless, it had been
effected, had he not given them enough in his
Answers to their frivolous Articles; and, in
his *Protestation*, afterwards affixed to the Copy
of that his Sermon, delivered to Archbishop
Land;

Land; who, after perusal hereof, never trou- Chap. 6.
bled the Doctor any further. For, the Do-
ctor had, in that Protestation, protested that
he would stand to, and maintain what he had
so delivered in that Sermon, to the death, a-
gainst all Opposers: and so, when they saw no
hope of his being brought to cry *peccavi*, they
let him go.

Whether he were not a Bishop that, in
scorn, calleth Christs Ordinance of Preach-
ing, *that most adored piece of Gods service* (w), ^{wChurch-}
(which he intimates thereby to be idolized by ^{Lands not}
all, that press, use, or frequent it) himself can ^{to be sold,}
best tell. But be he who he will, God will ^{pag. 32.}
one day make him know, (what now he pre-
tends to be ignorant of) That preaching is
the chief work of a Bishop; and, that this is
the chief reason why he received more and
larger maintenance than any other. (x) ^{x I Tim. 5.}
Let the Elders that rule well, be counted worthy of ^{17, 18.}
double honour, especially (or chiefly) they that
labour in the Word and Doctrine. For the Scri-
pture saith, Thou shalt not muzzle the mouth of
the Ox that treadeth out the Corn: and, The
Labourer is worthy of his reward.

Yea, his own great witness, Calvin, in the
same Book (y), quoted by his *Concio-Ma-* ^{y De n. ces.}
stix (z), will tell him thus much: *Nemo ex* ^{reform.}
Christi prescripto, Episcopi aut Pastoris nomen ^{Eccl.}
vendicare sibi potest, qui gregem suum non pas- ^{z Pag. 16.}
cat verbo Domini: No man, by the prescript
of Christ, can chalenge to himself the name
of a Bishop or Pastor, who feedeth not his
flock with the Word of the Lord,

Chap. 5. And let him please himself with his trifling Questions, what is meant by Preaching? whether that alone be the Bishops work, or, whether withal, (or rather,) governing be not his work (a)? The last onely he seeks to clear; and doth it so, that he hath in a manner cleared preaching out of the Bishops doors. But whereas he would from several Scriptures prove sundry sorts of Church-Officers, some extraordinary and temporary; others ordinary and perpetual, which are but two, *Governments* and *Teachers*, 1. Cor. 12. *Pastors* and *Teachers*, Ephes. 4. The first he would have to be Bishops; the other, *ordinary Ministers*. Hence he hopes, that *preaching* alone is not the Bishops work. Nay, that the *Pastor* being distinguished from the *Teacher*, are two distinct Offices; so Government, and Preaching, are two distinct works; what then? speak out man, if you can, for shame. *Ergo*, the ordinary Minister is onely to preach; the *Bishop*, onely to govern. And this is the main he drives at in that Discourse.

Now, although he be ashamed to speak out this Conclusion in express terms, yet see how shamelessly he abuseth sundry Scriptures to make this good. When *Paul* sent for the Elders of the Church of *Ephesus*, he calls them not *διδασκάλους*, *Teachers*; but, *πρεσβυτέρους*, *Elders* (Presbyters, man;) and these he bids not to preach, but to *take care of the flock*; And what is that? *ποιμαίνοντι τὴν ἐκκλησίαν*, *to feed the Church*. What is this? (not to preach, but)

but) to oversee them, and see they be well or- Chap. 6
dered and fed. For this they are

'ἐπισκοποι, or Bishops *, whose work is not to preach, but to leave that to others. The like corrupt gloss he seeks to fasten upon Tit. 1. 7. where a Bishop is called *ἐκκλησιαστικός*, a Steward: and what is his Office?

To take care and order that the family have their several allowances, and be wisely governed. And what, not to preach? No, there is not a word of preaching in the Text, by his telling. Yea, in Rom. 12. he hath found out a difference between Teaching and Ruling (which, who denieth?) and their works are there distinctly set down; the Teacher must wait on Teaching, the other, in ruling: leaving all to inferre, that these two works are not required of one and the same man: albeit he would seem out of modesty to inferre lesse; namely, that preaching alone, is not all the Bishops work.

But from Scripture he carrieth us out to the Army, and to Sea; and tells us that there they, after much time and labour spent in inferior services, are advanced higher, and no longer tied to their former labours. The Levites also after fifty or sixty years of age, became *ομεριτι*, or received a writ of Ease; and why then must the Bishop onely of all others be deprived of this so just a grace and benefit? Here you see plainly, what he would be at: and that he would have you to understand his opinion to be, that Bishops being old, have

* Where by the way, take it *pro confesso*, from an Adversary, that *πρεσβύτερος* and *'ἐπισκοπος*, meet in the same person: and so, are put one for another.

wrong

Chap. 6. wrong done to them, if put to preach at all.

But in few words, let him know, those *Elders* of *Ephesus* were preaching *Presbyters*; their *feeding* was *preaching* (that is, setting food before the flock:) and they were to *oversee* as well as *feed*; to *rule*, as well as *preach*: both are equally commanded, and both alike

b Luke 12.

42.

c Math. 24.

46.

d 2 Tim.

Postscript.

e 1 Tim. 3.

& passim.

made Characters of the same *good Steward* (b): and he onely is *blessed* that is *found so doing* (c).

What need many words? was not *Timothy* a *Bishop* (d)? had not he charge to govern (e)?

Yet, doth not *Paul* conjure this *Bishop* to preach? *I charge thee before God, and the Lord Jesus Christ who shall judge the quick and the dead at his appearing and his Kingdom, Preach the word, be instant in season, and out of season, reprove, rebuke, exhort, with all long suffering and Doctrine* (f).

f 2 Tim. 4.

1, 2.

But perhaps *Timothy* was a *young man*: and so he might better do it: ours are old, and so unable to perform it; vvhhy then not discharged, as well as the *Levites*, at fifty years of age? But so was *Paul* too, even *Paul the aged* (g): yet saith he of himself, *A necessity is laid upon me; yea, woe is unto me*

g Philem.

9.

b 1 Cor. 9.

16.

i 2 Cor. II

28.

if I preach not the Gospel (h): yet had he at the same time the *care of more Churches* than all our *Bishops* set together (i). And as for the *Levites*, their service required bodily strength, in killing and laying upon the *Altar*, and there burning, so many fat *bullocks* every day, beside other duties of bearing the *Ark*, &c. none of which is laid upon our *Bishops*. And if they have been

good

good Stewards, they are well stored with Chap. 6.
 an old stock, and can bring forth out of their
Treasury things both new and old, as becomes
wise Scribes instructed unto the Kingdom of
Heaven (k). They can do it with much more ease, gravity, authority than when they were
 younger men. Therefore the case of the *Le-*
uites, and theirs is not alike. Away then with
 spending more paper upon such a trifling so-
 phister. We have honoured him too far, in
 answering him so much. That good old *Robert*
Grosthed, sometimes Bishop of *Lincoln*, in
 the dayes of *Henry 3.* was farre from such o-
 pinion, when in a Letter to Pope *Innocent 4.*
 he not onely refused to admit his Nephew
 (or Bastard) to be a Prebend of *Lincoln* (as
 the Pope had commanded, finding him un-
 fit to preach) but tells the Pope to his head,
Post peccatum Luciferi, &c. there is not, can-
 not be a sin so repugnant to the Doctrine of
 the Apostles and holy Scriptures, nor to
 Christ himself more hatefull and abomina-
 ble, than to kill and destroy the Soules of
 Christs sheep by defrauding them of the Pa-
 storall Office and Ministry (*).

* Matth.

And as our late Bishops grew not onely
 negligent, but *incorrigible* (and they know
 what in their owne Language is to be
 done vvith him, vvhom they, in their
 Courts, once pronounce *incorrigible* (*) in
 the proper and chief vvork of the Ministry,
 I mean *preaching*, here and there one or two
 black Swans excepted: so did they as much
 over-lash and become eccentric in the other

Paris ad
 ana. 1353.* To de-
 prive, and
 perhaps
 degrade
 him,

Chap. 6. extreme, being too pragmatikall, and too farre ingaged in *Civils*. For, it contented them not to govern (*more suo*) to shew their more than authority over the Church; but they began to perk up upon those benches of Civil Judicature vvhhere much Law vvas not required. And, if at any time they vvere excluded the Parliament, or not honoured in it to their mindes, both Parliament and King; and all should hear of it on both eares. For so had their Predecessors done before.

Dr. Heylin, *Animadv.* One of their zealous sticklers remembers
on Hist. of them out of Mr. *Selden*, that at a Parliament
Church, at Northampton, under Hen. 2. the Bishops
pag. 70. thus challenged their Peerage (of the Lords
temporal.) *Non sedemus hic Episcopi, sed
Barones: Nos Barones, Vos Barones: Pa-
res hic sumus* (1). 'We sit not here as Bi-
shops, But as Barons: We are Barons, and
'You are Barons; here we are Peeres, or
'equal with you. And so, saith the same Au-
thor, did John Stratford Archbishop of Cam.
(as he remembreth) having fallen into the
displeasure of King Edward 3. and being de-
nied entrance into the House of Peers, made
his protest, that he was *Primus Par regni*, the
first or chief Peer of the Realm, and therefore
not to be excluded, &c.

1 Seld: Tit.
Hon. part.
2.c.5.

Nay, our Bishops vvent yet further. For
vvhhen some affronts vvere put upon one or
two of them as they vvere going to the
House of Peeres Assembled in Parliament:
of vvhich they might, wvith a vwords speak-
ing

ing, in Parliament have instantly had redresse, and security for the future; they (as seeming glad of the occasion) presently drew up a Protestation, signed vvith ten or eleven of their hands, against all Acts and proceedings in Parliament in their absence; and this they delivered, not to the Parliament; but (contrary to Privilege of Parliament) to the King himself, thereby to exasperate him, yet more against such as were conceived to be no friends unto them, vvhich, generally vvère most of the honest men in *England*.

But this high Act of theirs drew upon them the hatred and scorn not onely of their supposed enemies (vvho as yet had done them no harm) but of divers of their friends also: so as from that time forward, they grew into so much contempt, (having hereby so much incensed all against them) as provoked to the throwing of them, first, out of the Parliament; and then, out of their Episcopal Office and Dignity, and to the depriving them of their maintenance, as Bishops, for ever. And so you have the true reasons and causes not onely of their exanthoration and degradation as Bishops, but of their deprivation of their maintenance as Ministers. To which might be added, their incurring of a *Premunire*, by imposing an Oath, without Law, vvhereby they forfeited all they had.

3. It is objected further, *That admitting they were justly ejected, yet so many direfull curses have been denounced against all such as should aliene, sell, purchase, or imploy those Lands* 3. Object,

Chap. 6. *Lands to other uses, that it may justly make any man afraid to meddle with them.*

To this a short answer may suffice. Where God bids *curse*, (as in *Deut. 27.*) there is cause to fear *curfing*. But here it vwill be replied: Grant this, and I varrant you vve shall reach you. Doth not one of those *curfes* run thus (m); *Cursed be he that remoueth his Neighbours Land-mark: and all the people shall say, Amen?* Here God and man joyn together in curfing him that shall remove but a Land-mark: how heavy then vwill the curse light upon him that remoueth, or taketh away the Land it self! And is not this the very case you strive to uphold?

m Deut.
27.17.

No, forsooth. The Lord speaks of Land set out by himself, by Divine Lot; so as, he never set out any to the *Leuites* themselves; much lesse to Bishops, vvhom he never so endowed, nor so much as owned; of which so much hath been said before, as no more shall be added here. And vvhén Bishops cease to be, those Lands cease to be theirs upon any account vvhatsoeuer. And if *Moses* cursed those that hated *Levi* (n), it vvas because God had chosen him to that service; vvhich Bishops never can make out touching what they arrogate to themselves, under colour of as good a Title. To return therefore. If an *Elijah* (o), an *Elisha* (p), a *David* (q), a *Peter* (r), acted by Gods Spirit, shall denounce a curse; yea, if a *Darius*, an Heathen, shall curse all Kings and people that destroy Gods own Temple at *Hierusalem* (s), vvhile God

n Deut. 33.
11.

o 1 King. 1.
10. and 12.

p 2 King. 2.
23.

q Pl. 109.

r Act. 8. 20.

s Neh. 6. 2.

was pleased to place his Name there, vvoe Chap. 6.
to such as fall under it. All that vvere so
curfed, became accordingly the people of Gods
curse (r), because such *curfes* shall surely take: Isa. 34.5;
effect, God himself owns them, and vvill ac-
complish them.

But, as the bird by wandring, and the swallow
by flying (escape the Nets and Snares, set by the
Fowler to take them) so the causeless *curse* shall
not come (u). That Providence that prefer-
veth the Sparrow from falling to the ground (w),
till God will have it fall, let the Fowler do
what he can: doth likewise so over-rule a
causelesse *curse*, that it shall never reach him
against whom it is denounced. Yea, God blef-
seth more, where wicked men belch out most
curfes (x). Let them then be afraid of such *cur-*
ses, who find a vvarrant from God for such *cur-*
sing. The *curfes* that these men seek to fright
us withall, are like that of *Goliath*, who *curfed*
David by his Gods (y), yet was slain by *Da-*
vid notwithstanding his cursing. A *curfed*
people is ever a *curfing* generation (z): and,
curfing generation is ever an *accursed* peo-
ple (a), or *Children of the curse* (b).

Who set them on work, or gave them vvar-
rant, to *curse*? Even he who set on *Shimei* to
curse David: not God, as *David* feared: but
the Devil, by his Impe *Ahitophel*, as *David*
afterwards plainly discovered: that 109th
Psalm being chiefly bent against *Ahitophel*, of
whose cursing we never read, but that, by the
mouth of *Shimei*, when *David* was in greatest
distresse, and *Ahitophel*, his chief Counsellor,
joyned

Chap. 6. joyned to *Abſalom* now *Dauids* enemy. *Dauid* nevertheſſe ſared not the worſe for their curſing, becauſe his prayer to God was, *Let them curſe, but bleſſe thou*: and, in the iſſue, *the Lord required good for that curſing* (c).
 e 2 Sam. 16
 13. For, however in *Dauids* time *Shimei* felt not the curſe: yet, it came home to him with a witneſſe, under *Solomon* (d). And as for *Ahi-*
 d 1 King. 2
 44. *tophel*, as he loved curſing, ſo it came unto him. As he cloathed himſelf with curſing, like as with a Garment which covereth him, ſo it came into his bowels like water, and like Oile into his bones, &c. witneſſe his hanging of himſelf almoſt immediately after.

And verily thoſe buſie Curſers among the Prelacy, have drawn the effect of their curſing upon themſelves and their Succeſſors; even upon the Biſhops and the reſt of the Cathedral Prelacy, many hundred years after thoſe firſt Anathemiſts mouths were ſo full of curſing and bitterneſſe. Let therefore ſuch as pleaſe themſelves in frightening others with thoſe curſes, beware they meet not with ſome ſhare thereof themſelves, and that the taile of that ſtorm light not upon their heads, who now ſo groundleſſly apply them to their brethren, it being no other (ſo uſed) but an Engine of Antichriſt, forged in Hell.

4. Object. But, the moſt generally taking Objection is this: Be it that Biſhops be juſtly caſhiered, their Lands forfeited, and juſtly taken from them by the Parliament: yet generally all ſound Divines hold that thoſe Lands (although at firſt ſuperſtitiouſly, or ſuperſtitiously given) being once gi-
 ven

von and dedicated to God, may not be aliened, Chap. 6.
sold, or diverted to any secular, or private use;
but, continued for the maintenance of the true
worship of God, and for their better encourage-
ment who are imployed in the Ministry: or for
some other publick use.

This Objection, taking with so many of *Ans.*
greatest note and eminency in the Church, as
Calvin, Knox, and almost innumerable others,
is thought to be unanswerable: yet is it capa-
ble of a satisfactory answer, to prudent and
impartial men. For,

1. This opinion is not founded on any
Scripture, but upon that commonly received
maxime transferr'd from hand to hand, without
due examination, which was first cast in the
Popes *Mine*; *Semel Dicitum Deo, non est ad*
humanos usus ulterius transferendum. Which,
wherein, and how far it holds, hath been above
declared, and needs not to be repeated. Things
once given to God by his command, varrant,
or approbation, may not be aliened to other
uses, while the use appointed of God conti-
nueth. But, not all that men pretend, or say
they give to God. As in persons, so in things,
such onely as the Lord chooseth, are accepted,
and holy (e), let men say, or think what they
will to the contrary. The vilest wretch that
is, saith, *he gives his Soul to God*, at least in
his last Will. Doth this make him accept-
ed, or holy? Nay, of things in themselves
good, God will not accept every thing, from
every man. *David* was an holy man, had an
honorable and holy designe to build God an
N house :

Numb.
16.7.

Chap. 6. house: and Nathan thought he did very well in it, and therefore said unto him, *Go, and do all that is in thy heart: for the Lord is with thee* (f). Yet David and Nathan both were mistaken herein.

f 2 Sam. 7.
3.

Wherefore, to pin Lands upon God, and to proclaim this, because once pretendedly given to Him, perhaps by an Adulterer, a Murderer, a Parricide, &c. that is made to believe he is damned, if he give not largely to the Church; and so, gives rather out of fear, than of a willing minde, is, as the Proverb saith, to reckon without the Host: and to put that upon God which he will not own. It is no better than those gifts of the *Israelites* in the absence of *Moses*, pretended to be offered to God, although in a carnal way (as most of the gifts now spoken of, by all the Deeds and Instruments of the Donors, appear to be) when they brake off the golden ear-rings which were in their eares, and brought them unto Aaron to make them Gods. to go before them (g). They pretended they were for God, and what Aaron made was but to please their eye by some visible representation of the visible God (expressly against the second Commandment but newly given them:) yet how farre these gifts were from acceptance, or made holy because (as they thought) they had given them to God; or, from being reserved for holy uses, was manifested by the sad punishment of that their great folly and wickednesse. And what Lawyers say of gifts to the Church: *Quod Ecclesia datur, Deo Datur*; what is given to the Church

g Exod.
23.3.

Church is given to God, is not spoken in a Chap. 6.
Theological sense; but onely to shew the sense
and construction of our municipal Laws; and
what such are in the account of the Law of the
Nation.

2. It is apparent that those gifts to Bishops
and other Cathedral men were to be no longer
continued (had they been theirs by Divine
right) than their Offices for, and to which
they were given, remained. If *Levi* might
hold his no longer, why should Bishops and
others, of the same association? *Datur benefi-*
cium propter officium. Office and Benefice
are relatives; like *Hippocrates* Twins, they
live and die together. The *Suburbs* of the
48 *Cities*, were no longer continued by God
to holy uses: yet, *Tithes* were: and given by
God to his Ministers of the Gospel. No rea-
son therefore to conclude against employing
holy things to common uses, when God him-
self reserved not the *Levites* Lands to Godly
Ministers; but onely his own inheritance, the
Tithes. There is a woe to those that call good
evil, as well as to those, that call evil good (h). h Isa. 5. 20.
Indeed, if these Lands had still continued as a
common Revenue to all the Clergy, or Mini-
sters, as one intire Corporation, there had
been some colour for the continuation of
them to the rest, when Bishops and Cathedral
men were laid aside. But when (at the in-
stance, and by the labouring of the Bishops
themselves and their partners) every Order
had their several shares apportioned and laid
out unto them, (so as the other could no lon-

Chap. 6. ger make the least claim thereto, without *co-
vetting* what was *their neighbours;*) the Lands
of Cathedral men cannot be in Law or equity
justly required to go to Parochial Ministers:
but, it is in the free dispose of those to whom
by Law they do eschere, by the total laying
aside of their former owners and offices, to do
what they will with them, at their own.

3. When the vastnesse of the Revenue, or
unlawfull procuring of it, is a wrong to the
Commonwealth, or to any particular family,
which God requireth not, especially in times
of peace or plenty, to be ruined to enrich
him, or his Ministers; this is not a Dedic-
tion that God will own, but rather a robbing
of others of what is more properly their
right: and, an abusing of God, by fathering
upon him the acceptance of that, which the
Donors ought not so to have given to him
i Isa. 61. 8. (who *hath robbery for burnt-offering* (1); and
a profaning of his Name, by teaching men to
take that for a varrant, to give that, which
is not theirs so to give. That position there-
fore now urged, if taken in the full Lati-
tude without bounds, would be of dangerous
consequence to such as swallow it, and act
upon it.

4. Things voluntarily given, according to
Gods own rules and directions, to varrant
the gift, cannot be aliened from the use to
which he hath appointed them, so long as
the use continueth. If such things have, by
the corruptions of men been abused, the abuse
must be removed, and the things imployed to
such

such holy uses as the Lord himself hath directed; not, what man shall think fit to apply them to, without Gods varrant.

Thus the *Censers* abused by *Korah* and his Companions, were no more used for the *burning of Incense*: yet, because *they were hallowed*, they were (by Gods appointment) converted into *broad plates*, for covering of the *Altar*. Of which before enough hath been spoken, to shew *how* they were hallowed, and *upon what account*. But in things not appointed by God from the beginning, this Tenet holds not. For, to give unto God upon wrong grounds, and for superstitious ends, most derogatory to God and Christ, to maintain and feed a company of Harpies that *lie in wait, as he that setteth snares and traps to catch men* (k), thereby to fool them out of ^{Jer. 5.} their Estates upon fair (but false) pretences, ^{26.} is no better accepted than *the hire of a whore, or the price of a dogge* (that is, than money gotten by whoredom, or by the sale of a dog) *brought into the house of the Lord, which he abhorreth* (l).

Deut. 23.

Such are all those gifts of Lands to Cathedral, pretended to be thereby given unto God, (many of them being first gotten by rapine and spoyl:) whereby Christ is put out of Office, or at least declared an insufficient Saviour; as if men could not be saved by his merits alone, but they must eek them out by some works of their own, which they are taught to believe, to be the Savours which they must trust unto. God looks no otherwise

Chap. 6. upon such offerings, than upon *the offering of Swines blood, the cutting off of a Dogs neck, or the blessing of an Idol.* When it can be proved that God accepted of such oblations in time of the Law, then also it may be granted that he will accept such mongrel Dedications in the dayes of the Gospel,

5. Things dedicated unto God, without
 m Mar. 7. 8. his Order and direction, is a *laying aside* (m),
 n Ver. 9. and a *rejecting of the Commandments of God* (n):
 q Ver. 13. and a *making the word of God of none effect* (o):
 p Ver. 11. It is the Pharisees *Corban* (p), which they
 (for filthy Lucre's sake) taught Children to
 plead against their Parents, contrary to the
 fifth Commandment, when required to re-
 lieve them in age and necessity. If a father
 demanded this or that thing, of his son; The
 son was taught to answer onely this, *It is*
Corban, a gift which I have devoted to God;
 therefore you must excuse me, I cannot let
 you have it; Vows must be paid, and things
 once dedicated must not be recalled, nor the
 thing vowed, aliened. This, by the Pharisees
 Doctrine was a gift irrevocable, and so sa-
 cred unto God, that, if the Child should
 perhaps be willing to pleasure his Parents
 with some part of it, they would not give
 way. It is holy to God, it must not be pro-
 faned by applying it to common uses: so that,
they would suffer him no more to do ought for
 q Ver. 12. *his father or mother* (q). Did Christ allow
 this for a Dedication, that might not be recal-
 led; and, that what was so given, might not be
 any more employed to private uses; without

Sacrilege? Nay, he abhorred it as a sacrilegious abuse of Scripture; and, those Hypocrites also who taught such Doctrines. Such are all Dedications proceeding from mens own fancies and ends, without a rule from God: and therefore, gifts so given not onely may, but ought to be aliened to other uses, that God may no longer be abused and provoked by them.

6. It is a mistake and error to think, and say, those Lands now purchased by private men are perverted from publick use. For, they were sold for the publick use of the Commonwealth, to save it from ruine in a publick cause. And if there had been no buyers, the State and Cause had been lost. Now, if by the Canon-Law, it be allowed that the *goods and possessions of the Church may be alienated to redeem Captives*, as the Pope himself hath confessed; much more then, may such Lands be sold for the saving of both State and Church, in a time of vast expence, and imminent danger. Who ever taxed *Hezekiah of Sacrilege*, when he gave the King of *Assyria* (that came up against the fenced Cities of *Judah*, and took them) all the silver that was found in the House of the Lord, and cut off the gold from the doors of the Temple and from the pillars, and gave it to the King of *Assyria*, that he might depart from *Judah*, *2 Kings* 18. 15, 16? The Parliament then, being so much necessitated, (and that by occasion of the Owners of those Lands) had a Royal and Pious Pattern and Warrant for so doing.

Chap. 6. Nor is it a perverting of those Lands by purchasers, to imploy them (after paying for them, upon such an occasion) to their own use, no more than it was for the Tenants of Bishops, Deans, and Chapters, &c. when they had with their money bought Leases of those Lands for lives, or years. For, the granting and imploying them for years or lives (and that upon no such necessity as the Parliament sold) makes no real difference (as to private use) between that and the sale of them for ever, in a case of such important necessity. For, if it be no sin in a Bishop, or Dean and Chapter to sell a *Mannor*, yea, an *Impropriation*, for three lives, or for 21 years (heretofore, for 100. 100. years) and to put the whole Fine into their own private purses, not out of necessity, but for gain, and to enrich themselves, to the prejudice and impoverishing of their Successors, who must get some other maintenance (that is., some Benefices with Cure on which they never resided, but at their Cathedrals, and starved the Soules of those people in the mean time, with 10 l. Curats) or else they could not bear up the pomp and port of Cathedral men: and if it were lawfull for their Tenants, upon such terms to hold those *Mannors* and *Impropriations*, for three lives, or 21 years, to their own private use; then surely, it cannot be unlawfull in it self, for the Parliament, who never put the money into their own purses, to sell those Lands; nor for purchasers, to buy, and enjoy them for ever; having paid ac-

cord-

cordingly for them, and there being no Cathedralists left, to be impoverished thereby for the future.

7. The same things now pronounced Sacrilege in modern Purchasers, have been often done many years past, and still are done every day by the greatest Censurers of the present alienation of those Lands. For, to say nothing of the Appropriations and Impropriations made by Popes to *Templars*, *Monasteries*, and other (nick-named) *Religious Houses*; nor, of those huge alienations made in *Henry* the eighth's time, *Edw.* the sixth, *Queen Elizabeth*, and not none in King *James* his dayes: Even they, who now cry loudest against buying of Bishops and Deanes and Chapters Lands (because in their opinions, once given to God) and make it high *Sacrilege* in all that now do it, can yet be well enough content to hold things of the same kinde (in respect of Dedication) heretofore aliened from the Church. They can well digest Abby-Lands, Canonical Houses; yea, (which is worst) impropriated *Tithes* themselves, first made by that Arch-Sacrilegist the Pope, in favour not onely of Covents and Societies, but of his own particular single favorites and Minions, who neither would, nor could do any service to their Soules that paid them; and, after their dissolution, devolved to private hands and common uses, as Cathedral Lands now be.

How many Noble-men, and Gentle-men are there in *England* (as well as in forain Na-

Chap. 6. Nations) who now cry out of the supposed Sacrilege of others, do yet possesse many Lordships, Mannors, and Royalties, even of Bishops themselves, alienated since *Henry* the eighth began to destroy Monasteries? Are there not many of those Lands aliened by secret (not to say, Symoniacal) compact and bargain between Petitioners for Bishopricks and their friends at Court, to procure such a Bishoprick for them?

If any doubt hereof, it is his ignorance. If he desire proof, let him but inquire into the mutilation of that one Bishoprick of *Bath* and *Wells*, and he shall finde that since the thirtieth of *Henry* the eighth, the Mannors of *Wookey*, *Blackford* *Compton-Dando*, *Congersbury*, *Yatton*, *Chew*, *Wike*, *Puckle-Church*, *Westler-Leigh*, *Hampton*, *Claverton*, *Cranmore*, *Ever-Creitch*, *Kingsbury*, *Chard*, *Wellington*, *Lidford*, *Compton Parva*, and *Chedder*; (to omit many *Appropriations*, *Hundreds*, *Burroughs*, *Farmes*, &c.) have been all alienated from that Church, and are to this day held by Lay-men, to their own private uses, without scruple, or blame, before ever the late Parliament seised the rest. Yea, this is not the first time, that the Bishops Mannor of *Wells* was alienated from that Church. For, in *Henry* 8. it was by the Bishop himself aliened to him, that was afterwards Earle of *Hertford*; then, *Duke of Somerset*; and, by him held (without clamor of *Sacrilege*,) untill by his attainder it Eschoeted to the Crown, and thence returned to the Bishop again.

Nor

Nor is there any scruple made of purchasing of those many *Canonical Houses in Wells*, which formerly belonged to the *Canons*, and *Prebends* of that Church: yet were part of the Bishops Lands, and of the *Manner of Wells*, of which they are holden in chief, unto this day. Yet none of the Possessors or Purchasers thereof, hold it to be any fault in them, to purchase and enjoy those Houses: while some of them with great confidence and virulency condemne the same thing in Doctor *Burges*; albeit he performeth more service in that Church than any Bishop that ever sate there. Nor needed Mr. *Fuller* (in his *Appeal*) to take offence at this saying; as if the Dr. herein commended himself without President: for St. *Paul* himself (forced, as the Dr. now is, to maintain his Ministry against such as vilified it) had led the way, where he saith, *I laboured more abundantly than they all* (s); not that the Dr. compareth his labours with those of the Apostles: but, ^{Cor. 15. 10.} as holding it neither unlawfull nor unfit for a Minister unjustly traduced, to asserit and declare his own diligence in his place, as his betters have done upon like occasions.

Let not such think to wash all off, by saying, these were things done before their times, wch they could not help. For they can, without scruple enjoy, yea, purchase those Houses built on the Lands of the Church. An Accessory in sin long before committed, must share with the Principal, or first Actor, in the punishment (1). No house built upon the sand ^{1. 2. Commandment.} will

Chap. 6. will become stronger, or better by long continuance on that foundation. It is a known Maxime, *Non firmatur tractu temporis, quod de jure ab initio non subsistit.* Time will never make that to be no sin, which from the beginning was sinfull: nor that lawfull, which originally was unlawfull, and inconsistent with the Law. They therefore that thus Censure others, are themselves inexcusable: for wherein they judge another, they condemn themselves, because they that judge do the same things (u). If this satisfie not, yet it behoves those Censurers to be quiet: and, to leave it to others, who are without that supposed sin, to cast the next stone at the Doctor.

u Rom. 2. 1.

Zech. 8. 19.

Therefore love the truth, and peace.

FINIS.

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